COMMENTARY ON THE INITIATION OF ABU LAITH AS-SAMARQANDI A COMMENTARY ON THE PRIMER IN THE HANAFI SCHOOL BY QADI ZADAH

Arfan Shah Al-Bukhari
Sheikhy Notes

ABU LAITH AS-SAMARQANDI

Commentary on The Initiation of Abu Laith As-Samarqandi

A commentary on the primer in the Hanafi school by

Qadi Zadah

Translated by Arfan Shah Al-Bukhari

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Translator's Introduction

This is the commentary of our previously published work by Abu Laith As-Samarqandi *The Initiation.* This commentary expands and elucidates on the source text. The text touches on multitude types of sciences such as the Arabic language, principles of jurisprudence, and Islamic doctrine, to name a few. Qadi Zadah has written an amazing piece of work, a fact that will not be fully realised except by the person who is already grounded in these disciplines. Therefore, those who purchase this book should take it to a teacher and study it with them.

The text is made up of the Arabic text, its translation and the commentary. In addition to this are the footnotes that have been added, which include many important points. The source text is in bold within the commentary.

May Allah forgive us, our teachers, our families and all the Muslims. Also, may endless salutations and benedictions fall without limit upon the final messenger Muhammad.

Biography of Abu Laith As-Samarqandi

Imam Abu Laith Nasar Ibn Muhammad Ibn Ibrahim As-Samarqandi passed away in the year three hundred and seventy five of migration/Hijri. He was a knowledgeable jurist, Quranic exegete; hadith expert, orator and he fully deserved to be called the Hanafi scholar of his time. He has the most relied upon opinion in Hanafi jurisprudence, selected opinions amongst narrations and derived principles that are not in the text. In addition to his skills in the field of jurisprudence, he was a leader in exegesis and prophetic narrations.

He was given the agnomen Abu Laith As-Samarqandi by three Hanafi scholars, the most famous of them is Nasar Ibn Muhammad Ibn Ahmed Ibn Ibrahim As-Samarqandi. Abu Laith the jurist was also called Imam of guidance. It is stated in *Al-Sahib Al-Jawar Al-Mudiya* that he was the key scholar, who had beneficial positions and famous compilations. He taught Abu Jafar Al-Hinwani and others. He wrote *Khazinat Al-Fiqh, Nawazil, A'ayyun Al-Mashala* and *Tanbih Al-Ghafileen.*

Ibn Qutlubgha said in *The Crown,* "Nasar Ibn Muhammad Ibn Ahmed Ibn Ibrahim Abu Laith As-Samarqandi wrote: a Quranic exegesis in four volumes, *Nawazil* in jurisprudence, *Khazinat* (was the compliment*),* *Tanbih Al-Ghafileen* and *Bustan Al-Arifeen.*" He died in the year three

hundred and seventy three on the night of the nineteenth of Jamada Al-A'shara. Abu Jafar Al-Hindwani said that Abu Laith had compilations other than the mentioned books, *A'ayyun al-Mashala* and *Tasasis Al-Munazara,* and an introduction to famous prayers.

Ibn Tagri Badri describes in *Al-Najum Al-Zahira fi Maluk Masr wa Al-Qahira,* "He was handsome, frequently silent, had immense knowledge and a huge memory."

Whilst returning from Hajj by the route of Baghdad, he gathered beneficial compilations and taught them in the largest masjid. When he left Baghdad, the people came to bid him farewell. Then they prayed for him and he composed the following:

"Truly we testify to Your belief; O' Knower of the seen and unseen; from You is death witnessed; I beseech You in absence and grief."

He left with a caravan and whilst they were travelling, they were accosted by bandits who killed them all. One of them was the major scholar, the subject of this biography. The entire caravan was martyred.

Biography of the Commentator Qadi Zadah

He is the Imam, the erudite scholar, the jurist Muhammad Ibn Muhammad Al-Ansari, also known as Qadi Zadah, whose lineage goes back to the companion Al-Jalil[1] Abu Ayyub Al-Ansari.[2] It is with great sadness that we are not able to provide a long biography other than what Al-Kashif said in, *Guiding the sound intellects to the primary foundations by refuting sick innovations.* The scholar Muhammad Ibn Muhammad Al-Maroof said that Qadi Zadah died in the year one thousand and forty four. He summarized *Al-Hamdu Allah aldhi arsala Ar-Rasul bifasal al-Khitab* by Balghi and refuted a chapter in it about the permissibility of dancing, a work which comprised four chapters. In a book called *Kitab fi Ibital wa Ithabt Mud'at wa ratab,* the four chapters were *Fi Rad Al-Risala, Wajuub Al-Itabia, Fi Aqwal Al-Ulema fi Mudama Al-Batd'aeen* and *Wajuud Al-Taqwa.*

One of his books is *Al-Ghayth a'la Muqadima Abu Laith,* the commentary on The Initiation of Abu Laith. He is not excessive in what

[1] A title used for the companions of the Prophet Muhammad (may Allah bestow upon him peace blessings).

[2] Companion in whose house the Prophet (peace and blessings of Allah be upon him) slept when first arriving in Madinah from Makkah. He is buried in Istanbul, Turkey having died there after taking part in a battle.

he explains and divulges. *Qatart Al-Ghayth a'la Muqadima Abu Laith* is our book, which is a summary of his book *Al-Ghayth.*

His other works are: *Al-Jawhar Al-Mutmla a'la Munyat Al-Musali,* a commentary on the book *Munyat Al-Musali wa Ganiya Al-Mubtadi* by Al-Kashghari, and another book on Islamic belief in the Turkish language.

We are sorry that we are unable to provide are more detailed biography on this famous jurist, Imam and author. We ask Allah in anticipation and He is worthy of supplication.

بِسْمِ اللهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allah, the Most Compassionate,

The Most Merciful

Commentary on the Initiation of Abu Laith

Qatrat Al-Ghayth

All praise is due to Allah, who honoured the religion with Mujtahid[3] Imams and made them the watering wells of the sacred law of the Master of the Messengers. This is a clarification of the permitted and the prohibited for those who seek guidance. Peace and blessings upon the Master of the Messengers, sent as a mercy to the worlds, and upon his purified family, his rightly guided companions, the helpers and the successors who we owe a debt of gratitude to, until the Day of Judgement. He (may Allah bestow upon him peace and blessings) indicated in his

[3] The scholars who can directly derive legal rulings from the Quran and hadith.

speech, "Whoever Allah desires good for, He gives him understanding of the religion."[4]

It is said that no one reaches their resting place without the mercy of Allah, may He increase Muhammad Ibn Muhammad Qadi and his lineage to Abu Ayyub Al-Ansari,[5] and may Allah affirm their states and speech.

Knowledge of jurisprudence is one of the best means to draw close to Allah and it protects those who spend their precious time on it. Truly, one's obedience and worship will be established and sound. Whoever is knocking on the door and demanding answers, they have a necessity to be answered. It is incumbent for me to present to him the answers in *Al-Ghayth,* which I wrote with the answers of the *Muqadima* of the jurist Abu Laith, specifically for the beginner. I answered him, may Allah increase him, and called it *Qatrat Al-Ghayth/Torrential Rain Upon The*

[4] Narrated by Muawiyyah Ibn Abu Sufyan (Al-Bukhari, 1/71; Muslim, 2/1037).

[5] He was one of the foremost companions of the Ansar. It was at his home that the Prophet (may Allah bestow peace and blessings upon him) stayed whilst they built the masjid in Madinah. He was present in many battles and died on the battlefield. He is buried in what is now known as Istanbul.

Initiation of Abu Laith, may Allah make it sincerely for His noble countenance.

At this time we start with the intention **(In the name of Allah, the Most Compassionate, the Most Merciful),** meaning that the author begins this work with the model of elevated books and works.

The gracious Prophet, upon him and all the prophets be the most perfect blessings and purist greetings, said, "Every affair that does not begin with the name of Allah, the Most Merciful, Most Kind, is severed."[6] In another narration, "Cut off."[7]

Ar-Rahawi, very weak.

Ad-Daraqutni in As-Sunan from Abu Hurayrah in the chapter of prayer (with the ɔrd "cut off"). Ibn Hibban in his authentic collection 1/1.

الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِيْنَ وَالْعَاقِبَةُ لِلْمُتَّقِيْنَ وَلا عُدْوَانَ إِلاَّ عَلَى الظَّالِمِيْنَ

All praise is rightfully for Allah. Lord of the Universe. The best endings are for the pious and there is no retribution except upon the oppressors.

(All praise is rightfully for Allah.) Taken from his speech (may Allah bestow upon him peace and blessings) when he said in a narration, "Everything that does not begin with 'All praise is for Allah', it is severed."[8] It means that "Everything that does not begin with the remembrance of Allah"[9] is as narrated; it has minuscule blessings from the time that it is recorded to the time the intention came in.

So start with Bismillah and Al-Tahamid.[10] **(Allah)**: His knowledge that is His essence is the incumbent existence and His mention is majestic. **(Praise)** means gratitude for His blessings and can mean praise for His

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[8] Ad-Daraqutni, from Abu Hurayrah (may Allah be pleased with him).

[9] Ibid number 2.

[10] In other words say them both: 'Bismillah' is to say 'In the name of God' and Al-Tahamid is to say 'Alhamdulillah' or 'All praise is for Allah'.

praiseworthy attributes. Gratefulness cannot occur without blessings. **(Lord of the Universe):** the Lord means the King, and the universe is mankind and jinn, because they are responsible (and addressed here). **(The best endings are)** the praised, **(for the pious)** who perform Allah's orders and shun His prohibitions. **(And there is no retribution)** means no path **(except upon the oppressors):** oppression is to put something into its wrongful place.[11]

[11] Or to take something that belongs to someone else.

وَالصَّلَاةُ وَالسَّلَامُ عَلَى خَيْرِ الْبَرِيَّةِ مُحَمَّدٍ وَ عَلَى آلِهِ وَ أَصْحَابِهِ أَجْمَعِيْنَ.

Peace and blessings upon the best of creation, Muhammad (may Allah bestow upon him peace and blessings), his family and his companions.

(Peace) is a mercy from Allah; angels seek forgiveness for you and believers supplicate for you. **(And blessings)** means peace **(upon the best of creation),** the master of creation and most noble of them, **(Muhammad (may Allah bestow upon him peace and blessings));** this clarifies who is the best of creation. **(His family)**: from the aspect of lineage it is the heredity line of believers of the tribe of Hashim,[12] and from the religious side every pious believer.[13] **(And his companions)** are those who met and believed the Prophet (may Allah bestow upon him peace and blessings)

[12] These are five groups of people: the families of Ali Ibn Abu Talib, Jafar At-Tayar, 'Aqil the child of Abu Talib, Ibn Abbas, and the family of Al-Harith the son of Ibn Al-Mutalib (according to the Hanafis).

[13] Tabarani reports in Al-Awsat from Anis, Al-Daylami through a weak chain and the words from Al-Dayalmi, "The family of Muhammad are every pious person."

and died on faith, without leaving the two.[14] Prayers be upon his family, his companions, his followers and upon him peace and blessings; it is disliked to give greetings except upon the Prophets, angels and all the predecessors[15], and the successors agree.

[14]They died without leaving Islam and therefore died Muslim.

[15]The Salaf which are the generation of Muslims from the first and second century A.H., and the successors here means those from the third to fifth century A.H.

قَالَ الْفَقِيهُ أَبُو اللَّيْثِ السَّمَرْقَنْدِيُّ رَحِمَهُ اللهُ تَعَالَى .

فَصْلٌ فِي بَيَانِ وُجُوبِ الصَّلاةِ

اعْلَمْ بِأَنَّ الصَّلاةَ فَرِيضَةٌ قَائِمَةٌ وَشَرِيعَةٌ ثَابِتَةٌ

The Jurist Abu Laith As-Samarqandi (may Allah show him mercy) said

1. Chapter expounding the obligation of prayer

Know that prayer is a continuous obligation, soundly established by the Sacred Law.

(The Jurist Abu Laith As-Samarqandi (may Allah show him mercy) said): a jurist is a scholar who acts upon knowledge and who has knowledge of the meanings of the texts. Whoever does not join these completely has abbreviated some of it; he is a jurist from one side but not the other.

Commentary on the chapter expounding the obligation of prayer

(Know): this is an order addressing everyone who understands, without specification. There is no definition of who is being addressed at

the beginning of this speech in order to clarify for the reader. **(That prayer)** comprises of bowing and prostration,[16] **(is a continuous obligation)** and a decisive ruling. **(Soundly established by the sacred law.)**, meaning continuous.

عُرِفَتْ فَرْضِيَّتُهَا بِالْكِتَابِ وَالسُّنَّةِ وَإِجْمَاعِ الأُمَّةِ أَمَّا الْكِتَابُ: فَقَوْلُهُ تَعَالى أَقِيْمُوْا الصَّلاةَ وَآتُوا الزَّكَاةَ

Its injunction is known through the Book, the Sunna and by the consensus of the scholars. Allah states in the Quran, "Establish prayer and pay the tax."[17]

(Its injunction is known through the Book), the Quran, and **(the Sunna):** these are the actions and words of the Prophet (may Allah bestow upon him peace and blessings),[18] **(and by the consensus of the scholars):**

[16] Excluding the funeral prayer.

[17] Quran, the Heffer, 2:110.

[18] And silent approval which is when something occurred in front of him and he did not prohibit it.

this is the agreement of the opinions of the scholars of the time from the people of truthfulness and ijtihad[19] upon rulings. Outside of truthfulness are the Shia and the Khawarij[20] because of their lack of justice (trustworthiness).

(Allah states in the Quran): we start with the strongest evidence, **("Establish prayer and pay the tax")**[21].

فَاللهُ سُبْحَانَهُ وَتَعَالى أَمَرَنَا بِإِقَامِ الصَّلاةِ وَإِيْتَاءِ الزَّكَاةِ وَالأَمْرُ مِنَ اللهِ تَعَالى يَدُلُّ عَلَى الْوُجُوبِ . وَقَوْلُهُ تَعَالى: حَافِظُوْا عَلَى الصَّلَوَاتِ وَالصَّلاةِ الْوُسْطَى وَقُوْمُوْا للهِ قَانِتِيْنَ أَيْ خَاشِعِيْنَ

Allah (Mighty and Majestic) orders us to perform the prayer and pay the tax, and an order from Allah (the Exalted) indicates compulsion. Also, "Be guardians of your prayers and especially of the midmost prayer and stand

[19] Those that search for rulings who possess the appropriate prerequisites, not someone who picks up translations!

[20] A sect that went against the ruling majority and caused great tribulation.

[21] Alms or Zakah is 2.5% of the yearly wealth that is left over from expenditure.

up with devotion to Allah,"[22] meaning be humble.

(Allah (Mighty and Majestic) orders us to perform the prayer and pay the tax, and an order from Allah (the Exalted)) is free from alteration and **(indicates compulsion),** meaning compulsory, free from change, and His speech has established prayer forever. **(Also, "Be guardians of your prayers and especially of the midmost prayer and stand up with devotion to Allah," meaning be humble.)**

فَاللهُ سُبْحَانَهُ وَتَعَالى أَمَرَنَا بِالْمُحَافَظَةِ عَلَى الصَّلَوَاتِ الْخَمْسِ وَالْأَمْرُ مِنَ اللهِ تَعَالى يَدُلُّ عَلَى الْإِيْجَابِ.

Meaning, be dedicated to Allah (Mighty and Majestic), He has ordered us to maintain the five daily prayers, and an order from Allah the Exalted indicates necessity.

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[22] Quran, the Heffer, 2:238.

(Meaning, be dedicated to Allah (Mighty and Majestic), He has ordered us to maintain our five daily prayers"), free from modification, as illustrated in this Quranic passage; **(and an order from Allah the Exalted indicates necessity).**

This is obligatory because of His speech "Preserve them forever", (meaning pray them) in their times. Therefore, the meaning of his speech is to 'establish' them as a permanent obligation.

There were differences amongst the companions (may Allah be pleased with them) as to which was the midmost prayer. The correct position is that it is the Asr prayer, according to our scholars. On the Day of Al-Hazab[23], he (upon him be peace) said, "They have busied us from the midmost prayer, Asr. May Allah fill their houses with fire."[24]

[23] It was a day when several tribes came to destroy Madinah and kill the Prophet and all Muslims.

[24] Al-Bukhari, 3/2773; Muslim, 1/627; both narrated by Ali (may Allah be pleased with him).

وَقَوْلُهُ تَعَالى: إنَّ الصَّلاةَ كَانَتْ عَلَى الْمُؤْمِنِيْنَ كِتَابًا مَوْقُوتًا أَيْ فَرْضًا

The Quran states, "Prayer at fixed times has been enjoined on the believers."[25] Meaning, appointed times for obligatory prayers.

(The Quran states, "Prayer at fixed times has been enjoined on the believers." Meaning, appointed times for obligatory prayers). Within the limits of their time, as they are not permissible outside their time[26] because the times were outlined by Jibril (upon him be peace) to the Prophet (may Allah bestow upon him peace and blessings).

[25] Quran, the Women, 4:103.

[26] Although it is necessary to make up missed prayers.

وَأَمَّا السُّنَّةُ : فَمَا رُوِيَ عَنْ عَبْدِ اللهِ ابْنِ عُمَرَ وَجَرِيرِ بْنِ عَبْدِ اللهِ الْبُجَلِيِّ رَضِيَ اللهُ عَنْهُمْ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمْ أَنَّهُ قَالَ بُنِيَ الْإِسْلَامُ عَلَى خَمْسٍ

As for the hadith, it is related from Abdullah Ibn Umar[27] and Jarir Ibn Abdullah Al-Bujali[28] (may Allah be pleased with them) that the Messenger of Allah (may Allah bestow peace and blessings upon him) said, "Islam is built on five;[29]

(As for the hadith, it is related from Abdullah Ibn Umar and Jarir Ibn Abdullah Al-Bujali (may Allah be pleased with them) that the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "Islam is built on five): it is faith in Islam and religion, all of it

[27] Abdullah Ibn Umar Ibn Al-Khattab embraced Islam with his father during childhood and migrated (to Madinah) before his father. He passed away in 73 A.H. when he was 86 years old. He was born one year before revelation (Isad Al-Ghabah).

[28] Jahir Ibn Abdullah Ibn Jahir Al-Bujali embraced Islam forty days before the passing away of the Prophet (peace and blessing be upon him). He was a leader of his people. He passed away in 51 A.H. (*Isad Al-Ghabah*).

[29] Bukhari and Muslim.

means one. Allah said, "Truly the religion with Allah is Islam."[30] Allah said, "Whoever desires a religion other than Islam will not have it accepted."[31]

بُنِيَ الْإِسْلَامُ عَلَى خَمْسٍ شَهَادَةِ أَنْ لا إِلَهَ إِلا اللهُ وَأَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ وَإِقَامِ الصَّلاةِ وَإِيْتَاءِ الزَّكَاةِ وَ صَوْمُ شَهر رَمَضان وَ حَج البيتِ الحَرام مَن استطاع إليه سبيلا

"Islam is built on five; testifying that there is no deity except Allah and Muhammad is His servant and Messenger, establishing prayer, paying alms, fasting during the month of Ramadan and performing Hajj for whoever is able to do so."[32]

He says **(on five)**, meaning five traits: **(testifying that there is no deity)** with the right to be worshipped **(except Allah and Muhammad is His servant and Messenger).** This is the strongest branch of the five because it is a condition for the soundness of faith and consolidation. It is

[30] Quran, the Family of Imran, 3:19.

[31] Quran, the Family of Imran, 3:85.

[32] Bukhari and Muslim.

said that it is a pillar, but the hadith indicates to it first.[33] Secondly **(establishing prayer),** meaning its performance. Thirdly **(paying alms),** for whoever has the threshold wealth.[34] Fourthly **(fasting during the month of Ramadan)** by whoever is responsible and enters into the month.[35] Fifthly **(performing Hajj for whoever is able to do so)**[36]: it is not incumbent upon those without the means to perform Hajj.

وَقَدْ جَاءَ فِي خَبَرٍ آخَرَ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ فِي حَجَّةِ الْوَدَاعِ : أَيُّهَا النَّاسُ صَلُّوْا خَمْسَكُمْ وَصُوْمُوْا شَهْرَكُمْ

[33] The testimony of faith is means to witness.

[34] Amount that makes alms/zakah obligatory, which can vary.

[35] Those who are mature; the age of maturity for a boy is between 12 and 15, and for a girl the age is between 9 and 15. The most important parameters are the signs of maturity. Also, someone has to be Muslim before the month begins, as someone who enters Islam during the month does not need to fast until the next day (source: *Al-Hidayyah*).

[36] Bukhari, 1/8; Muslim, 1/16; both from Ibn Umar (may Allah be pleased with him). If they do not have the means to perform the pilgrimage then it is not obligatory.

[36] Bukhari, 1/8; Muslim, 1/16; both from Ibn Umar (may Allah be pleased with him). If they do not have the means to perform the pilgrimage then it is not obligatory.

وَحُجُّوْا بَيْتَ رَبِّكُمْ وَأَدُّوْا زَكَاةَ أَمْوَالِكُمْ طَيِّبَةً بِهَا أَنْفُسَكُمْ تَدْخُلُوْا جَنَّةَ رَبِّكُمْ بِلَا حِسَابٍ وِلا عَذَابِ

Elsewhere, in another narration, the Messenger of Allah (may Allah bestow upon him peace and blessings) said at the farewell sermon, "O people, pray your obligatory prayers, fast your month, go to the house of your Lord, give alms from your wealth, in the best way from yourselves, and enter Paradise (of your Lord) without reckoning or punishment."[37]

(Elsewhere, in another narration, the Messenger of Allah (may Allah bestow upon him peace and blessings) said at the farewell sermon): this was his last Hajj (upon him be peace and blessings). He said, **("O people, pray your obligatory prayers, fast your month, go to the house of your Lord, give alms from your wealth, in the best way from yourselves and enter Paradise (of your Lord) without reckoning or punishment")**[38].

[37] Imam Ahmad and At-Tirmidhi, from Abdullah Ibn Umar.

[38] Imam Ahmad and At-Tirmidhi, from Abdullah Ibn Umar.

وَرُوِيَ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ : الصَّلاةُ عِمَادُ الدِّينِ فَمَنْ أَقَامَهَا فَقَدْ أَقَامَ الدِّينَ وَمَنْ تَرَكَهَا فَقَدْ هَدَمَ الدِّينَ

The Messenger of Allah (may Allah bestow upon him peace and blessings) said, "Prayer is a pillar of the religion. Whoever establishes it, has established the religion. Whoever has left it has destroyed the religion."[39]

This order has no doubt as **(The Messenger of Allah (may Allah bestow upon him peace and blessings) said, "Prayer is a pillar of the religion):** it means establish it, as confirmed in another hadith, "Shall I not inform about the root of the matter, the backbone and the pinnacle? The root of the matter is Islam, the backbone is prayer and its pinnacle is Jihad."[40] **(Whoever establishes it)**, meaning prayer, **(has established the religion. Whoever has left it has destroyed the religion).**[41] It is established

[39] Bayhaqi in Shu'ab al-Iman, 3/2807, from Umar.

[40] At-Tirmidhi, 2616; Imam Ahmed, 22069; Abd Ibn Hameed, 1/122; from Mu'adh Ibn Jabal (may Allah be pleased with him).

[41] See note 38.

by performing it and it is ruined by leaving it; just like a tent which is upright due to the central pole, if the pole is not there then it is ruined.

وَأَمَّا إِجْمَاعُ الْأُمَّةِ : فَإِنَّ الْأُمَّةَ قَدْ أَجْمَعَتْ مِنْ لَدُنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ إِلَى يَوْمِنَا هَذَا عَلَى فَرْضِيَّةِ الصَّلَاةِ وَالزَّكَاةِ مِنْ غَيْرِ نَكِيرِ مُنْكِرٍ وَلا رَدِّ رَادٍّ وَإِجْمَاعُ الْأُمَّةِ مِنْ أَقْوَى الْحُجَجِ بِدَلِيلِ مَا رُوِيَ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ : لا تَجْتَمِعُ أُمَّتِي عَلَى الضَّلَالَةِ

This is the consensus of scholars from the time of the Messenger of Allah (may Allah bestow upon him peace and blessings) to our time concerning the obligation of prayer and alms, without rejecter or rejection.

The consensus of the scholars is from strong proofs and from that which is narrated from the Messenger of Allah (may Allah bestow upon him peace and blessings) who said, "My nation will not unanimously agree to an error."[42]

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[42] Tabarani in Mu'jam Al-Kabir.

(This is the consensus of scholars from the time of the Messenger of Allah (may Allah bestow upon him peace and blessings) to our time), to our period, **(concerning the obligation of prayer and alms),** fasting and pilgrimage, **(without rejecter or rejection)** from the scholars.

(The consensus of the scholars is one of the strong proofs and from that which is narrated from the Messenger of Allah (may Allah bestow upon him peace and blessings) who said, "My nation will not unanimously agree to an error."[43]) In another hadith, "The power of Allah is with the majority, whoever deviates, deviates to the Fire."[44]

O Allah, bless the most pious and pure of the prophets, Muhammad peace and blessings be upon him.

[43] Tabarani in Mu'jam Al-Kabir, 12/13623.

[44] At-Tirmidhi, 4/2167.

فَصْلٌ فِي بَيَانِ أَقْسَامِ الْفَرْضِ

ثُمَّ اعْلَمْ بِأَنَّ الْفَرْضَ عَلَى نَوْعَيْنِ : فَرْضُ الْعَيْنِ وَفَرْضُ الْكِفَايَةِ

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2. Chapter expounding the types of obligation

Know that obligations are of two types:

1. Individual obligation
2. Collective obligation.

Commentary on the chapter expounding the types of obligation

(Chapter) is the subject and the predicate is omitted.[45] The wisdom of separating the book into chapters is to encourage the reader by allowing him to finish a chapter. He then begins another chapter refreshed and renewed for the next lesson. This is why the companions separated the Quran into parts.[46]

[45] This is from Arabic grammar, the subject being the khabr and the predicate being the mubtada.

[46] Meaning they marked particular stations so that they could complete one recitation of the Quran in a month. These are called juz or spara. There are thirty in total.

(Know that obligations are of two types). Firstly, **(Individual obligation)**, which is given this name because it is specific for everyone who meets its requirements. Secondly, **(Collective obligation)**, which is called this because the action of some is sufficient for the rest.

أَمَّا فَرْضُ الْعَيْنِ : مَا إِذَا قَامَ بِهِ الْبَعْضُ لا يَسْقُطُ عَنِ الْبَاقِينَ كَالصَّوْمِ وَالصَّلاةِ وَالزَّكَاةِ وَالْحَجِّ وَالْوُضُوءِ لِلصَّلاةِ وَالاِغْتِسَالِ مِنَ الْجَنَابَةِ وَالْحَيْضِ وَالنِّفَاسِ وَالْجِهَادِ إِذَا كَانَ النَّفِيرِ عَامًّا

The individual obligation is that which, if some perform it, it does not fall from the remainder, like fasting, prayer, alms, Hajj, ablution for prayer, washing from major impurity, periods, postpartum bleeding and war, if there is a general call to arms.

(The individual obligation) is specific for the individual; **(if some perform it)** from among the people, **(it does not fall from the remainder)** because it is specific for everyone individually. It is necessary that everyone perform it themselves. **(Like fasting)**, which is an obligation upon

everyone. Allah says, "Whoever of you witnesses the month, let him fast."[47] The address here is general.[48]

(Prayer), a general address, **(alms)** a general address, **(Hajj)** a general address, **(ablution for prayer),** again a general address. **(Washing from major impurity, periods, postpartum bleeding);** all of these addresses are general and the obligation does not fall if done by some. They are for each individual to perform.

(War, if there is a general call to arms): to defend the homelands of Islam from the enemy is obligatory upon all the people of that country, including the young and old, riding or walking, rich or poor; they are all addressed in the following speech, "Go forth light and heavy (armed)."[49] A woman can leave without the permission of her husband and a slave without the permission of his master.

[47] Quran, the Heffer, 2.185.

[48] This is the term 'aam from Usul Al-Fiqh, meaning that it refers to everyone. As opposed to khass which refers specifically to someone or something.

[49] Quran, Repentance, 9.41.

وَأَمَّا فَرْضُ الْكِفَايَةِ: مَا إِذَا قَامَ بِهِ الْبَعْضُ يَسْقُطُ عَنِ الْبَاقِينَ

Collective obligation, if performed by some, falls from the remainder.

(Collective obligation, if performed by some) responsible[50] individuals, **(falls from the remainder),** because the obligation is not general. Rather than each individual, if some perform it then the objective is reached; thus its necessity drops from the remainder.

[50] As explained before about maturity.

كَرَدِّ السَّلامِ وَتَشْمِيتِ الْعَاطِسِ وَعِيَادَةِ الْمَرِيضِ وَالصَّلاةِ عَلَى الْجِنَازَةِ وَالصَّلاةِ عَلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَالْأَمْرِ بِالْمَعْرُوفِ والنَّهْيِ عَنْ الْمُنْكَرِ وَالْجِهَادِ إِذَا لَمْ يَكُنْ النَّفِيرُ عَاماً.

For example, returning a greeting, replying to a sneeze, visiting the sick, attending funeral prayer and prayer on the Prophet (may Allah bestow upon him peace and blessings), commanding good and prohibiting evil and war, if there is not a general call to arms.

(For example, return a greeting), because the obligation is upon the other to reply. Allah (the Exalted) said, "If you are greeted with the greeting, return with one that is better than it or like thereof."[51] Reply with an Islamic greeting or with something similar.

(Replying to a sneeze) is obligatory on those who hear one sneeze to say 'may Allah have mercy upon you' in order to bless the sneezer. When one (person) does it, the desired purpose is achieved. The Prophet (may Allah bestow upon him peace and blessings) said, "Whoever sneezes

[51] Quran, the Woman, 4:86.

let him praise Allah and whoever hears let him say may Allah be merciful to you and the reply is: may Allah guide you and exalt you."[52] There is no blessing necessary upon a woman who has sneezed who he does not know and there is no harm in blessing a young girl.[53] It is said that to praise[54] when one burps is not necessary like when one sneezes. He (upon him be peace) said, "Whoever praises when sneezing and burping is safe from one thousand illnesses."[55]

(Visiting the sick) is necessary for others because the objective is to see their state. If one person goes to visit then the order is achieved and it drops from the remainder. He (upon him be blessings) said, "Anyone who returns to the sick is bathed in mercy and whoever sits there is submerged in it."[56] He (upon him be peace) said, "The Muslim has six rights over a

[52] Ibn Majah, 2/3715; Imam Ahmed, 1/972-973.

[53] To say 'may Allah have mercy upon you' to a woman that a male does not know.

[54] To say 'All praise is for Allah.'

[55] Not found.

[56] Ibn Hibban, from Jabir, 7/2956; Al-Bayhaqi in *Al-Kubra*, 3/6375; Imam Ahmed, 14299.

Muslim..." one of them is to, "Visit them if ill."[57] It is desired to say when visiting 'may Allah raise you, cure you from all sickness and harm.'

(Attending the funeral prayer) is a necessary right for others to fulfil because the intention is to supplicate for the deceased. If he (the deceased) is prayed for then the desired objective is met and it falls from the remainder.[58] Allah (the exalted) said, "Pray over them as your prayers reassure them."[59] He (upon him be peace) said, "Pray over every pious and impertinent."[60] The condition is that the deceased is Muslim. They are purified with water if it is available or dry ablution is performed if it is not. The body is placed in front of the Imam.

(Prayer on the Prophet (may Allah bestow upon him peace and blessings)): this is the right of the Prophet (may Allah bestow upon him peace and blessings) because the objective is to manifest his nobility (upon him peace and blessings be upon him). If carried out by some it falls from

[57]Ibn Hibban, from Ali (may Allah be pleased with him), 1/1433.

[58] The remainder meaning other people.

[59] Quran, Repentance, 9:103.

[60] Ad-Daraqutni in As-Sunan, 2/10; Al-Bayhaqi in *Al-Kubra*, 4/6623; both narrated from Makhul from Abu Hurayrah. Az-Zaylai reports from Al-Bayhaqi that the chain is authentic to Makhul, so the hadith is connected/mursal.

the remainder. The source is the speech of Allah (the Exalted) as follows: "Allah and his angels send prayers upon the Prophet; O you who believe salute with a worthy salutation."[61]

Likewise, **(commanding good and prohibiting evil)** is the right of others because the purpose is to manifest obedience by giving exemplarily instructions and by avoiding prohibitions. If this is performed by some, who established it, then it drops from the remainder. The origin is in the speech of Allah (the Exalted), who says, "You are the best nation raised up for the people, you enjoin good and forbid the wrong."[62] He (upon him be peace) said, "If he sees reprehensible action let him change it by his hand; if he is unable; with his tongue; if he unable with his tongue and that is the weakest faith."[63]

[61] Quran, the Confederates 33.56.

[62] Quran, the Family of Imran, 3:110.

[63] Muslim, 1/49, from Abu Sa'id.

Abu Hanifa (may Allah show him mercy) gave the following explanation of this prophetic narration: 1. the ones who should change it with their hands are the leaders or judges/qadis; 2. the tongue – scholars 3. Heart – normal person.

Likewise, **(war,[64] if there is not a general call to arms),** is a necessary right of others because the purpose is to repel the evil of disbelief from the Muslims, defeat the disbelievers, and then raise the word of Allah the Exalted. If this is established then it falls from the remainder. O Allah allow us to complete it and esteem our master Muhammad, upon him be peace.

[64] The word jahada means to struggle, and this is the root word that the word jihad comes from. Primarily it means to strive in the way of God and does not mean war, as war in Arabic is harb. So the jihad of a scholar could be to teach the people and write books. It does not necessitate fighting.

فَصْلٌ

ثُمَّ اعْلَمْ بِأَنَّ الصَّلاةَ مِنَ اللهِ تَعَالى الرَّحْمَةُ ,وَمِنَ الْمَلَائِكَةِ الاسْتِغْفَارُ وَمِنْ الْمُؤْمِنِينَ الدُّعَاءُ. وَفِي اللُّغَةِ: عِبَارَةٌ عَنِ الدُّعَاءِ وَفِي الشَّرِيعَةِ: عِبَارَةٌ عَنِ أَرْكَانٍ مَعْلُومَةٍ وَأَفْعَالٍ مَخْصُوصَةٍ

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3. Chapter (on the benefits of prayer)

Know that prayer brings mercy from Allah the Exalted, His angels seek forgiveness for you, and the believers supplicate. In language, supplication is an expression, and in legal terms, is from the well known pillars of definite actions.

Commentary on the chapter on the benefits of prayer

(Know), O dear student, **(that prayer brings mercy)** and this is its purpose, as He is Compassionate and Kind; the desired objective is **(from Allah the Exalted)**. **(His angels seek forgiveness for you,)** for the believers **(the believers supplicate).** Allah (the Exalted) says, "Pray upon them,"[65] meaning pray for them. **(In language),** prayer or **(supplication is an**

[65] Quran, Repentance 9:103.

expression). Al-'Ashaa[66] said, "Its breeze of its expectance drawing close; attaining closeness it fades away," meaning supplication.

Prayer, **(in legal terms, is from the well known pillars).** It refers to standing, reciting, bowing and prostration, moving from one pillar to another, the final sitting, and reciting Tashahud.[67] **(Of definite actions):** these are those that are known from the pillars; they consist of necessities, Sunnas and etiquettes.

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[66] A poet around the first century of Islam.

[67] The opening magnification is also considered a pillar according to others. The text is according to Imam Muhammad's position.

Tashahud is the following testification: Greetings are for Allah, salutations and sanctity. Peace be upon you O Prophet, the mercy of Allah and His blessings. Peace be upon us and upon the righteous servants. I testify that there is no deity except Allah and I testify that Muhammad is His servant and Messenger.

فَصْلٌ فِي أَقْسَامِ الْحَدَثِ.

ثُمَّ اعْلَمْ بِأَنَّ الْحَدَثَ عَلَى النَّوْعَيْنِ:1- حَدَثٌ حَقِيقِيٌّ 2- حَدَثٌ حُكْمِيٌّ

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4. Chapter on the kinds of impurity

Know that impurity is of two types:

1. Actual impurity
2. False impurity.

Commentary on the chapter on the kinds of impurity

(Know), O dear student, **(that impurity is of two types: Actual impurity),** which is what can be seen, and **(False impurity),** which is what cannot be seen but which has the legal ruling of impurity.

أَمَّا الْحَدَثُ الْحَقِيقِيُّ: كَالْبَوْلِ وَالْغَائِطِ وَالرُّعَافِ وَالدَّمِ وَمَا أَشْبَهَ ذَلِكَ وَأَمَّا الْحَدَثُ الْحُكْمِيُّ: كَالنَّوْمِ وَالْإِغْمَاءِ وَالْجُنُونِ وَالْقَهْقَهَةِ فِي كُلِّ صَلَاةٍ ذَاتِ رُكُوعٍ وَسُجُودٍ

Actual impurity is urine, faeces, nosebleed, blood etc. False impurity is sleep, unconsciousness, insanity and laughing out loud in every prayer with a prostration and bowing.

(Actual impurity) is **(urine),** when manifest from the exit hole of the male private part. Similarly, manifestation of the same from the private place of a woman. It does not need to flow. **(Faeces, nosebleed),** if it is present on one's skin **(blood etc.).** Vomit or pus that flows from a wound. If blood or pus flows it necessitates purification because the flowing of blood/pus breaks ablution. If you are sure that, it has left its exit, from what we have mentioned, *Al-Jami'a As-Saghir*[68] states, "As long as the

[68] Sourced from *Al-Mabsut* of Imam Muhammad Ibn Al-Hassan As-Shaybani, which is considered one of the books of the six manifest narrations/Zahir Ar-Riwaya As-Sitta.

blood does not drip from a head wound, even though it is larger than the head wound, the ablution is not invalidated."

(False impurity is sleep) on one's sides, lying down, leaning on something, sitting, or napping on the ground. Sleep, as described by the actions mentioned, breaks ablution because the joints of the sleeper are loose; it is not the same as leaning. Likewise, **(unconsciousness,)** is false impurity as the joints are looser than during sleep, so therefore it is impurity in every case.[69]

(Insanity) is false impurity, even for a short while, his sanity has left him. The insane has an excuse and his ablution breaks because he cannot distinguish between impurities. The drunkard is in the same category, as are those intoxicated from wine (alcohol), cannabis or anything similar. The drunkard is defined as someone who sways whilst walking.[70] As affirmed by Shams Al-Imma Al-Halwali, **(laughing out loud in every prayer with a prostration and bowing).**[71] It cannot be replaced by

[69] Sleeping on one's back breaks ablution because one does not have control over one's limbs during sleep.

[70] Another definition of drunkenness is when someone cannot tell the difference between the genders. Or he cannot walk in a straight line.

[71] This excludes the funeral prayer as it has no bowing or prostrating.

gesturing in the obligatory or supererogatory prayers, and precaution is needed when prostrating, etc. As for the funeral prayer, recitation prostration, forgetful prostration and prayer of a child, laughing does not invalidate the ablution but invalidates anything which you find them doing.[72]

Laughing that is heard by the one laughing but not heard by his neighbour,[73] or laughter that is not heard by the one laughing or his neighbour, breaks the prayer without breaking the ablution. Smiling if not heard by the one smiling or his neighbour does not break the prayer or nullify the ablution; and Allah is the helper. O Allah, allow me to complete it by the esteem of Muhammad, upon him be peace and blessings.

[72] Acts of worship.

[73] The person next to him in prayer.

فَصْلُ أَقْسَامِ الطَّهَارَةِ

ثُمَّ اعْلَمْ بِأَنَّ الطَّهَارَةَ عَلَى النَّوْعَيْنِ :1- طَهَارَةٌ غَلِيظَةٌ 2- طَهَارَةٌ خَفِيفَةٌ.

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5. Chapter on the kinds of purity

Know that purity is of two kinds:

1. Major purity
2. Minor purity.

Commentary on the chapter on the kinds of purity

(Know), O dear student, **(that purity is of two kinds)**. Purification has the linguistic meaning of cleanliness and legally it means the removing of impurity and removing filth because of the necessity for prayer; with the condition of impurity.[74] **(Major purity)** is called this because of its awkward ruling in which the whole body has to be washed. **(Minor purity)**

[74] So if a prayer time enters and a person is in a state of ablution then there is no ablution for him to do.

is called this due to the light ruling by which it is sufficient to wash three limbs and wipe a fourth of the head.[75]

أَمَّا الطَّهَارَةُ الْغَلِيظَةُ : كَالاغْتِسَالِ مِنَ الْجَنَابَةِ وَالْحَيْضِ وَالنِّفَاسِ وَأَمَّا الطَّهَارَةُ الْخَفِيفَةِ : كَالْوُضُوءِ لِلصَّلَاةِ.

Major purity is bathing, after one becomes impure from a major impurity,[76] periods and postpartum bleeding.[77] Minor purity is ablution.

(Major impurity is bathing, after one becomes impure from a major impurity, periods and postpartum bleeding): the obligation is to wash the entire body, as Allah says, "If you are impure then purify yourselves."[78] The description of exaggeration is whatever can be purified

[75] Which is defined as the area covering three fingers from the small finger – which is the soundest opinion. The famous opinion is the area covering four fingers. The area of the head is defined as the area covered by a normal hat. Any quarter of the head can be considered a quarter of the head.

[76] For example, after relations with one's spouse.

[77] After childbirth.

[78] Quran, the Table Spread, 5:6.

without harm. This achieves the obligation of washing from periods and postpartum bleeding in the ruling of impurity. The obligations of washing are rinsing the mouth out,[79] washing the nose,[80] and washing the entire body. The Sunna is to begin with washing the hands, private places and filth (if you have it upon the body), and ablution before the bathing, excluding the feet if the water is stagnate and not flowing.[81]

(Minor purity is ablution): for prayer, funeral prayer, recitation prostration and others, the obligation is to wash the three limbs and wipe one quarter of the head.

[79] Washing the mouth is defined as making water reach the area in which water reaches within the mouth, according to the soundest opinion. The other famous opinion is making water reach the top of the throat.

[80] The obligatory part of the nose is the soft place of the nose.

[81] Washing the feet.

فَصْلٌ فِي أَقْسَامِ الْمِيَاهِ
ثُمَّ اعْلَمْ بِأَنَّ الْمَاءَ عَلَى النَّوْعَيْنِ 1- مَاءٌ مُطْلَقٌ 2-مَاءٌ مُقَيَّدٌ أَمَّا الْمَاءُ الْمُطْلَقُ : فَهُوَ كُلُّ مَاءٍ لَوْ نَظَرَ إِلَيْهِ النَّاظِرُ سَمَّاهُ مَاءً عَلَى الإِطْلَاقِ كَالْمَاءِ الَّذِي نَزَلَ مِنَ السَّمَاءِ وَمَاءِ الْعُيُونِ وَمَاءِ الآبَارِ وَمَاءِ الْبِحَارِ وَمَاءِ الْغُدْرَانِ وَمَاءِ الْحِيَاضِ وَمَا أَشْبَهَ ذَلِكَ.

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6. Chapter on the kinds of water

Know that water is of two kinds:

1. Absolute water
2. Restricted water.

Absolute water is all water that if you looked into it, would resemble absolute water. Like water that came from the skies, fountain water, rain, spring, well, sea, pond and pool water etc.

Commentary on the chapter on the types of water

(Know), O dear student, **(that water is of two kinds: 1. Absolute water),** unconditionally, and **(2. Restricted water. Absolute water is all water that if you looked into it, would resemble absolute water),** without describing it is as restricted. Such is **(water that came from the skies, fountain water),** and all spring water. With regards to **(rain, spring, well,**

sea, pond and pool water) and rose water, **(etc.),** Allah (the Exalted) says about all rainwater, "Have you not seen how Allah sent down water from the sky and caused it to penetrate the earth."[82] It is divided into all these types and concerns what is seen normally.

فَحُكْمُهُ أَنَّهُ طَاهِرٌ وَ طَهُورٌ يُزِيلُ النَّجَاسَةَ الْحَقِيقِيَّةَ وَالْحُكْمِيَّةَ عَنِ الثَّوْبِ وَالْبَدَنِ فَيَجُوزُ الْوُضُوءُ وَالاغْتِسَالُ بِهِ

The ruling is that it is pure as long as it is free from actual impurity and false impurity from the body or clothes. Then it is permissible to use for ablution or ritual bathing.

(The ruling is that it is pure) in itself, **(as long as it is free)** from impurity and filth, as Allah (the Exalted) said, "We send purifying water from the sky."[83] **(From actual impurity)** means from blood, urine, faeces and the like, and it should remove filth **(and false impurity),** major

[82] Quran, the Troops, 39.21.

[83] Quran, Criterion, 25.48.

impurity and minor impurity, **(from the body or clothes).** By the consensus of the Muslims, **(Then is it is permissible to use for ablution or ritual bathing).** This is the explanation of Allah the Exalted's words that it removes filth.

أَمَّا الْمَاءُ الْمُقَيَّدُ : فَكُلُّ مَاءٍ اسْتُخْرِجَ بِعِلاجٍ كَمَاءِ الْقِثَّاءِ وَمَاءِ الْبِطِّيخِ وَ مَا أَشْبَهَ ذَلِكَ.

Restricted water is all water that comes from acting on something like cucumber, pumpkin, watermelon and so forth.

(Restricted water is all water that comes from acting on something like cucumber), soapy water, **(pumpkin)** water, **(watermelon),** saltwort **(and so forth),** like vinegar and rose water. There is no disagreement other than with regards soapy water, pool and saltwort in its natural state. As for soap, pool and saltwort that holds more soap and saltwort, then the water leaves its natural state by its thickness and follows as Imam Al-Hadidi[84]

[84] He is Imam Abu Bakr Ibn Ali Al-Hadadi, writer of *Siraj Al-Wahaj,* a commentary on Quduri.

has mentioned: "It is permissible to perform ablution with water which is mixed with saltwort, soap and saffron because it is still considered water. If a little is mixed of these things then it is not possible to be prudent from it." In *Al-Nihyah,* "Our teachers have stated when tree leaves fall into a pool thus changing the water's colour, taste and smell then ablution can be performed from it without objection."

فَحُكْمُهُ أَنَّهُ طَاهِرٌ غَيْرُ طَهُورٍ يُزِيلُ النَّجَاسَةَ الْحَقِيقِيَّةَ عَنِ الثَّوْبِ وَالْبَدَنِ وَلا يَجُوزُ الْوُضُوءُ وَالاغْتِسَالُ بِهِ هَكَذَا ذَكَرَهُ الْكَرْخِيُّ فِي مُخْتَصَرِهِ وَ الطَّحَاوِيُّ فِي كِتَابِهِ وَ هَذَا هُوَ الْمُخْتَارُ.

The ruling is that it is pure but not purifying from actual filth from the clothes or body. It is not permissible to do ablution or ritual bathing with it. This is mentioned in the abridgement of the book of Al-Karkhi and Tahawi in his book and this is the soundest opinion.

(The ruling is that it is pure), in itself, **(but not purifying)** from filth, as stated in the statement '**(from actual filth)**', such as blood or urine on **(from the clothes or body).** This is because purification is the reason

for using water to remove filth. Whilst these things remove filth and fulfil the purpose, **(It is not permissible to do ablution or ritual bathing with it).** It is not permissible to do so except with pure water. **(This is mentioned in the abridgement of the book of Al-Karkhi[85] and Tahawi[86] in his book and this is the soundest opinion).** This is the opinion of Abu Hanifa,[87] may Allah (the Exalted) show him mercy.

[85] Abaidullah Ibn Al-Hussain Ibn Dallal. He was a teacher of Imam Abu Bakr Al-Razi Al-Jisas, writer of Quranic Exegesis, Abu Abdullah Al-Damaghni, and Abu Ali Al-Shahsi, writer of the principles book *Usul As-Shashi.* He passed away in 340 A.H. (Taj Al-Tarajim, Jawahir Mudiah).

[86] Ahmed Ibn Muhammad Ibn Salama Al-Azdi (Abu Jafar Al-Tahawai) Al-Faqi Al-Muhadith Al-Hafid. He taught Ibn Muzfar Al-Bagdadi Al-Hafiz, Abu Qasim Al-Tabarani, writer of the Al-Muajam, and others. He was an outstanding trustworthy hadith narrator. Ahmed passed away in 321 A.H. (Taj Al-Tarajim).

[87] Abu Hanifa Numan Ibn Thabit, founder of the school of Kufa (the Hanafi School).

وَقَالَ مُحَمَّدٌ بْنُ الْحَسَنِ أَنَّهُ طَاهِرٌ غَيْرُ طَهُورٍ لا يُزِيلُ النَّجَاسَةَ
الْحُكْمِيَّةَ عَنِ الثَّوْبِ وَالْبَدَنِ وَلَا يَجُوزُ الاغْتِسَالُ وَالْوُضُوءُ الْحَقِيقِيَّةَ
بِهِ

Muhammad Ibn Hassan[88] said that pure water that is not purifying, does not remove actual filth or false filth from clothes or body and it is not permissible to bathe or do ablution with it.

(Muhammad Ibn Hassan said that pure water) in itself, **(that is not purifying)** for anything else, **(does not remove actual filth or false filth),** meaning major impurity, **(from clothes or body).** The reason is that it is filthy and is not removed except with purified water; the same goes for the body and the clothes. **(And it is not permissible to bathe or do ablution with it),** without disagreement.

[88] Abu Abdullah Muhammad Ibn al Hassan As-Shayibani, a student of Abu Hanifa. He was from a village in Khurasan and taught Imam Al-Mutalbi Muhammad Ibn Idrees As-Shafi, Abu Ubayd Al-Qasim Ibn Salam, Ibn Muyan, and others. He was a narrator of the 'six books of jurisprudence' and passed away in 237 A.H.

وَهُوَ قَوْلُ زُفَرَ وَالشَّافِعِيِّ رَحِمَهُمَا اللهُ تَعَالى . وَذَكَرَ الْفَقِيهُ أَبُو اللَّيْثِ فِي " مُخْتَلَفِهِ" وَ فِي كِتَابِهِ "الْعُيُونُ" أَنَّهُ لا يُزِيلُ النَّجَاسَةَ الْحَقِيقِيَّةَ وَ الْحُكْمِيَّةَ عَنِ الْبَدَنِ فِي قَوْلِهِمْ جَمِيعًا

This is the opinion of Zufar and Imam Shafi (may Allah show them mercy). Abu Laith mentions in *Differences* and in his other book *The Springs* that actual filth is not removed and neither is false filth from the body, in all their opinions.

(This is the opinion of Zufar and Imam Shafi[89] **(may Allah show them mercy). Abu Laith mentions in *Differences*),** a famous book, and it is also mentioned **(in his other book *The Springs* that)** he meant restricted

[89] Muhammad Ibn Idrees Ibn Al-Abbas Ibn Uthman Ibn As-Shafi. He is from the tribe of Al-Muttalib, Quraysh, and he is one of the four founders of the madhabs. Born in the year 150 A.H., Imam Ahmed said, "There is no one who used paper and an inkpot of any superiority, except that Al Shafi took from him." His madhab spread in the Hijaz and Iraq, and when he moved to Egypt (in 199 A.H.), there also. He passed away in 204 A.H. and authored the following: Al-Umm, on jurisprudence, Al-Risala, on principles of jurisprudence, and Ahkam ul-Quran.

water.[90] **(Actual filth is not removed and neither is false filth from the body, in all their opinions),** because the body heat draws out the filth that is not removed except by purifying water.

وَإِنَّمَا الاخْتِلَافُ فِي الثَّوْبِ, عِنْدَ أَبِي حَنِيفَةَ وَأَبِي يُوسُفَ يُزِيلُ النَّجَاسَةَ وَعِنْدَ مُحَمَّدٍ لا يُزِيلُ وَهُوَ قَوْلُ زُفَرَ وَ الشَّافِعِيِّ. وَ ذَكَرَ مُحَمَّدٍ فِي رِوَايَةٍ أُخْرَى هَذِهِ الْمَسْأَلَةَ كَمَا قَالَ الْكَرْخِيُّ وَ الطَّحَاوِيُّ وَالأَصَحُّ مَا قَالَاهُ,

The only difference is in clothes; it does with Abu Hanifa and Abu Yusuf, but not with Imam Muhammad, and this is the opinion of Zufar and Shafi. Imam Muhammad mentions the same issue as was in Al-Karkhi and Tahawi, and the relied opinion is what they stated.

(The only difference is in clothes; it does with Abu Hanifa and Abu Yusuf) remove filth from clothes because the purpose is to remove filth and it is achieved by this. **(But not with Imam Muhammad, and this**

[90] Restricted water is water that has already been used by someone, such as the water used by someone for ablution. That water is pure but it will not purify because it has already been used.

is the opinion of Zufar and Shafi), namely that it does not remove filth. The quality of pure water is that it removes actual filth like false filth. **(Imam Muhammad mentions the same issue as was in Al-Karkhi** and **Tahawi,)** namely because it removes actual filth from the clothes and body. **(The relied opinion)**, with disagreement, **(is what they stated)**; this is the school/madhab!

وَرُوِيَ عَنْ أَبِي يُوسُفَ رَحِمَهُ اللهُ تَعَالَى أَنَّهُ ذَكَرَ فِي الْأَمَالِي أَنَّ كُلَّ ثَوْبٍ إِذَا أَصَابَتْهُ النَّجَاسَةُ فَالْحُكْمُ فِيهِ إِنَّ كُلَّ شَيْءٍ يَنْعَصِرُ بِالْعَصْرِ فَإِنَّهُ يُزِيلُ النَّجَاسَةَ عَنْهُ كَالْخَلِّ وَاللَّبَنِ وَمَا أَشْبَهَ ذَلِكَ

Abu Yusuf[91] (may Allah show him mercy) mentioned this in *Amali*, that all clothes, when actual filth is on them, the ruling is that what is wrung out by wringing removes filth , for example milk and vinegar. Everything that is not wrung out by (the process of) wringing,

[91] Yaqoub Ibn Ibrahim Al-Qadi was one of best students of Abu Hanifa. He was the first to collect the principles of jurisprudence, only his works did not reach us. He passed away in 181 A.H.

will not remove filth, like honey, butter, fat, treacle etc.[92]

(Abu Yusuf (may Allah show him mercy) mentioned this in ***Amali*****)**, the book of Abu Yusuf. **(that all clothes, when actual filth is on them, the ruling is that what is wrung out by wringing removes filth, for example milk and vinegar)**. The liquid that comes out when wrung out by wringing, removes filth piece by piece. **(Everything that is not wrung out by (the process of) wringing, will not remove filth, like honey, butter, fat, treacle etc)**. The objective here is to remove filth and these things do not remove filth. Allah is the supporter! O Allah, allow us to complete this by the esteem of Muhammad (may Allah bestow upon him peace and blessings).

[92] All of these do not remove actual filth.

فَصْلٌ فِي أَفْعَالِ الصَّلَاةِ

ثُمَّ اعْلَمْ بِأَنَّ الصَّلَاةَ لَهَا شَرَائِطَ وَأَرْكَانًا وَوَاجِبَاتٍ وَسُنَنًا وَآدَابًا وَكَرَاهِيَةً صِحَّةِ الشُّرُوعِ فِي الصَّلَاةِ[93]

7. Chapter on the actions of prayer

Know that prayer has conditions, pillars, requirements, Sunnas, etiquettes, disliked, to fulfil the validity and legality of the prayer, (free from the disliked and forbidden).

Commentary on the chapter on the actions of prayer

(Know), O dear student, **(that prayer has conditions)**. Prayer is not sound without them and they are outside it. Likewise are the **(pillars)**. Prayer is not sound without it and they are in it. As for **(requirements)**, the prayer is valid without them but if left out forgetfully then it is necessary to make two forgetful prostrations in the last sitting and one is sinful if they are left out on purpose, he does not perform the forgetful prostrations. Prayer has **(Sunnas);** one is rewarded if they are done and

[93] With an extra word in the other copy "و منهيات" . This word is not in other copies.

sinful if they are left. As for **(etiquettes)**, one is rewarded if they are done and not sinful if they are left. 'Etiquettes' and 'desired' means the supererogatory without any difference between them, as in Al-Miftah As-Saadah/*The Key to Happiness*.[94] Prayer also has **(disliked)** actions; those which are affirmed by prohibitions within an objection. They deserve punishment if performed and are rewarded if avoided. Even if someone tries to make permissible what is not permissible, they do not become a disbeliever.[95]

It says, **(to fulfil the validity and legality of the prayer, (free from disliked and forbidden),** meaning it can be considered as complete. Some of them say that the soundness does not stop with what we have mentioned here; rather this is just some of them.

[94] By Shamsudeen Ibn Muhammad Ibn Ibrahim As-Sanjari d.749.

[95] In these issues of disliked.

أَمَّا شَرَائِطُهَا فَسِتَّةٌ : 1- الطَّهَارَةُ مِنَ الْحَدَثِ 2- وَ الطَّهَارَةُ مِنَ النَّجَاسَةِ 3- وَ سِتْرُ الْعَوْرَةِ

The conditions are six:

1. Cleanliness from impurity
2. Cleanliness from filth
3. Lack of nakedness

(The conditions), which are obligatory and prerequisites, **(are six).**

First is **(cleanliness from impurity).** For minor impurity it is achieved through ablution, and for major impurity, periods and postpartum bleeding it is achieved through bathing.

Second is **(cleanliness from filth)**, meaning actual filth like blood, urine, and wine, if it is an amount that prevents prayer.[96]

[96] The amount is about the size of a 50 pence piece or the amount of water that rests in the centre of the palm of a hand.

Third is a **(lack of nakedness).** For a man this is below the belly button up to the knee.[97] For a woman it is like the men including the chest, back and sides, if free, then all of her except her face, hands and feet in prayer.[98] It is prohibited to uncover a fourth of a limb; separate parts are added together, like different parts of filth.

4- وَ اسْتِقْبَالُ الْقِبْلَةِ

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4. Facing the Qibla

Fourth is **(facing the Qibla)** (direction of prayer) according to one's ability. So a resident of Makkah should face the Ka'aba if he can see it. If outside Makkah then one does not need to face a side, (just the direction). Facing the Ka'aba is known by proof.

[97] Including the knee.

[98] The foot is nakedness outside the prayer but there are differences of opinion. Legs and arms are included.

In the cities and villages the prayer direction is known by the niche attributed to the companions and successors (may Allah be pleased with them all). It is necessary that we follow them in the attributed niches/mihrabs, and if this is not there we need to ask.

As for seas and caves, proof for the direction are the stars, as Qadi Khan states, "The best of what was stated about the direction is that the people of the East face West, the people of West face East and the people of the North face the South, the people of the South face North; the direction of the people of Madinah face right in the direction of the West, the direction of the people of Arabia is the left facing West and this is what our leader Fakhrudeen[99] said."

5- وَالْوَقْتُ

5. Time

[99] Not identified.

Fifth is **(time)**, which is specific from the law for every prayer. This begins at first dawn until just before sunrise, for Fajr. After the sun has reached its zenith for Zuhur until the shadow of everything has become like itself upon the position of our Imam, or double its likeness according to the other two.[100] From this time until the sun sets for the Asr prayer, after sunset for Maghrib until twilight has gone according to Abu Hanifa; according to Abu Yusuf and Imam Muhammad the redness. From here until first dawn is the prayer time for Isha and Witr; and it is necessary to delay Isha.

6- وَ النِّيَّةُ

6. Intention

Sixth is **(intention)**[101]; this is the desire to pray to Allah sincerely without allowing anything to come between it and the opening magnification. This includes action that does not befit prayer like speaking,

[100] Abu Yusuf and Imam Muhammad (may Allah be pleased with them).

[101] Intention is determination in the heart to do or not to do something.

eating, drinking and buying wood, because these actions break the prayer and thus the intention. Know that it is sufficient to have a general intention for supererogatory, Sunna and taraweeh prayers.

As for the obligatory, it is a condition to specify it, like the Zuhur of that day or the Asr, etc. If one intends Zuhur or Asr without specifying the day or time then it is not permissible. If one intends the obligation of that time it is permissible except concerning the Jummah prayer; if one is in the time of the Jummah prayer then it is permissible. Every obligation has a ruling and the ruling of the obligatory is as the supererogatory if corrupted;[102] as is Witr, and so on, it is necessary to specify.[103] Allah is the only assistor and supporter.

[102] If a supererogatory prayer is broken then it is necessary to make it up, similar to other actions.

[103] Specify the intention with time or day.

وَأَمَّا أَرْكَانُهَا فَسِتَّةٌ أَيْضًا: 1- تَكْبِيرَةُ الافْتِتَاحِ 2- وَالْقِيَامُ

The pillars are six:

1. Opening magnification
2. Standing

(The pillars are) those obligations which are inside the action and amount to **(six).**

First is the **(opening magnification);**[104] it is the pillar that connects the prayer and it is correct that it is a condition. The opening magnification is the first action that begins the prayer. The objective of the magnification is that every word is sincere praise and affirmation of greatness. Even if one begins with glorification, tahlil,[105] or the Merciful, the Greatest, the Magnificent, or just with Allah, or the same in Persian, one has entered the prayer, but it is disliked to begin with other than Allah is the Greatest.

[104] Also known as the magnification of prohibition.

[105] Saying, 'there is no deity except Allah'.

Second is **(standing)** in the obligatory, the necessary (prayers) and the Sunna before Fajr, for those who are able. The definition of standing is that when one stretches the hands out the knees cannot be touched. The least performance is what you are able to recite, from the Quran, which makes the prayer valid.[106] The middle position is to recite Sura Fatiha and another passage, and this is necessary. The highest is to recite as the Sunna dictates. It is disliked to wane to the left and then to the right.

3-وَالْقِرَاءَةُ 4- وَالرُّكُوعُ

3. Recitation

4. Bowing

Third is **(recitation).** The obligatory recitation of the Quran is that which could be considered as the Quran, according to Abu Hanifa (may Allah show him mercy). Allah says, "So recite what you find easy of the

[106] This is the basic/fard level without which the prayer is invalid.

Quran."[107] The obligation is three ayahs of a short Sura or one long Sura.[108] It is necessary to recite Sura Fatiha (Sura number one) and another Sura that is the length of three ayahs or one long one. Fourth is **(bowing),**[109] meaning bending at the waist, as mentioned in *Al-Hawi,*[110] *Al-Bidiaya,*[111] and most of the books. The obligation of bowing is to bend whilst inclining and in *Al-Munyyah*[112] to lower the head. The first follower has to incline after the previous (person in congregation). The bending is when one reaches the incline of the bowing position and the head is lowered; this is according to one's ability.

[107] Quran, Muzzamil, 73.20.

[108] A short ayah is three words which is one ayah long. The relied upon opinion is two words which is one ayah according to Imam Muhammad. The Indo-Pak school adhere to one ayah that is three words.

[109] The definition of bowing is that the hands can reach the knee caps; as long as one can do that then it is considered correct. The Sunna is to straighten the back.

[110] By Baktars Ibn Yaltafqlaj Abu l-Fadail.

[111] Al-Bidiaya As-Saniai', one of the most important books in the Hanafi school, written by Al-Kasani.

[112] Al-Munyat Al-Musali, a Hanafi fiqh text of prayer and ablution by Imam Kashghari.

وَالسُّجُودُ 6- وَ الْقَعْدَةُ الأَخِيرَةُ مِقْدَارَ التَّشَهُّد

5. Prostration

6. Sitting in the final unit and reciting the Tashahud.

Fifth is **(prostration),** meaning to put part of the face onto the Earth without mockery. Put the nose and forehead[113] down and not the cheek or chin. The meaning of prostration is that it is performed twice. The proof for this is established by the Quran, Sunna and consensus of the scholars. It is performed twice in every unit, as established by the Quran, Sunna and consensus.

Sixth is **(sitting in the final unit and reciting Tashahud),** because this is the beginning of its recitation and its minimum time is that which could be considered as Tashahud.[114]

[113] The obligatory prostration is when someone puts most of their forehead on the ground and at least one toe of the foot pointing to the ground. The necessary action is to put the head, nose, hands, feet and knees.

[114] So none of the other supplications are considered.

وَالْخُرُوجُ مِنَ الصَّلاةِ بِصُنْعِ الْمُصَلِّي فَرْضٌ عِنْدَ أَبِي حَنِيفَةَ رَضِيَ اللهُ عَنْهُ, وَعِنْدَ أَبِي يُوسُفَ وَمُحَمَّدٍ لَيْسَ بِفَرْضٍ .

Leaving the prayer with the action of the prayer is an obligation with Abu Hanifa (may Allah show him mercy). This is not a condition for Abu Yusuf and Imam Muhammad.

(Leaving the prayer with the action of the prayer is an obligation with Abu Hanifa (may Allah show him mercy)). This means doing something that is part of the prayer, as it an obligation to complete the prayer according to consensus.[115] It is completed once finished, and it can only be finished with an action of it because if it is not done then it is incomplete. It is finished by the action of the person praying, and this is necessary.

(This is not a condition for Abu Yusuf and Imam Muhammad) (May Allah show them mercy), meaning to leave the prayer by an action

[115] This means leaving the prayer by giving the greeting is necessary. It is necessary to leave the prayer with an action of the prayer.

of the person praying **(this is not an obligation).** If it was an obligation to specify it then it would be like the remainder of obligations of the prayer, and that it is not, because it is a crime like laughing and greeting on purpose; it is not permissible to describe it as an obligation. Al-Karkhi[116] said, "There is no disagreement between them in leaving by an action of it is not obligatory." Al-Zaylai[117] and others say, "This is relied upon;" and Allah is the only helper.

ثُمَّ اعْلَمْ أَنَّ ثُمَّ تَكْبِيرَةُ الافْتِتَاحِ لَيْسَتْ مِنَ الصَّلَاةِ عِنْدَ أَبِي حَنِيفَةَ وَأَبِي يُوسُفَ رَحِمَهُمَا اللهُ تَعَالَى وَعِنْدَ مُحَمَّدٍ هِيَ مِنَ الصَّلَاةِ.

Know that the opening magnification is not part of the prayer according to Abu Hanifa and Abu Yusuf, however according to Imam Muhammad (may Allah show them mercy) it is.

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[116] Abu l'Hassan Al-Karkhi, died 951.

[117] Jamal Ud-Din Abu Muhammad Abdullah Ibn Yusuf, died 762.

(Know), O dear student, **(that the opening magnification)** is that which enters one into the prayer. It **(is not part of the prayer according to Abu Hanifa and Abu Yusuf)**[118] Al-Hawi states, "It is a condition in the correct transmissions and this is what most of the scholars say and it is relied upon." **(According to Imam Muhammad (May Allah show them mercy) it is)**[119] one of the pillars which fulfils the capital.[120] Imam Tahawi[121] agrees with what Imam Shafi has said and it is the opinion of the school/madhab.

[118] It is part of the prayer.

[119] It is part of the prayer.

[120] Completes the action.

[121] Imam Tahawi, scribe of the famous work on Islamic doctrine *Aqida Tahawi* and also a Hanafi jurist and Quranic commentator.

فَصْلٌ فِي أَدِلَّةِ أَرْكَانِ الصَّلَاةِ

وَإِنَّمَا قُلْنَا بِأَنَّ الطَّهَارَةَ مِنَ الْحَدَثِ شَرْطٌ بِالْكِتَابِ وَالسُّنَّةِ. أَمَّا الْكِتَابُ : فَقَوْلُهُ تَعَالَى : يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَامْسَحُوا بِرُؤُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ

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8. Chapter on the proof for the pillars of the prayer

We say that cleanliness from all filth is a condition proved by the Quran and hadith. The Quran states, "O you who believe! When you rise up for prayer, wash your faces, and your hands up to the elbow, and lightly wipe your heads and wash your feet up to the ankles."[122]

Commentary on the chapter on the proof for the pillars of the prayer

(We say that cleanliness from all filth) (Meaning minor) **(is a condition proved by the Quran and Hadith. The Quran states, "O you who believe! When you rise up for prayer)** (meaning if you desire to pray but you are impure) **(Wash your faces, and your hands up to the elbow, and lightly wipe your heads and wash your feet up to the ankles")**[123].

فَاللهُ سُبْحَانَهُ وَتَعَالَى أَمَرَنَا بِغَسْلِ الْأَعْضَاءِ الثَّلَاثَةِ وَمَسْحِ الرَّأْسِ وَالْأَمْرُ مِنَ اللهِ تَعَالَى لِلْإِيجَابِ

Allah (Mighty and Majestic) ordered us to wash three limbs and wipe the head, and an order from Allah (Mighty and Majestic) makes it an obligation.

(Allah (Mighty and Majestic) ordered us to wash three limbs and wipe the head[124]**)**, and to have the desire for prayer is an indication of the cause of the necessity of purification; only for those wanting to pray who are impure. **(And an order from Allah (Mighty and Majestic) makes it)** (Indicates to) **(An obligation),** meaning necessity.

[122] Quran, the Table Spread, 5:6.

[123] Quran, the Table Spread, 5:6.

[124] Wiping the head once to the extent of a quarter of the head, as previously described.

وَأَمَّا السُّنَّةُ : فَمَا رُوِيَ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ: لِكُلِّ شَيْءٍ مِفْتَاحٌ وَمِفْتَاحُ الصَّلَاةِ الطَّهُورُ وَتَحْرِيمُهَا التَّكْبِيرُ وَتَحْلِيلُهَا التَّسْلِيمُ

Hadith: It is related that the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "Everything has a key and the key to prayer is cleanliness. The entrance is magnification and the exit is greeting."[125]

(Hadith: It is related that the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "Everything has a key and the key to prayer is cleanliness). Meaning the prayer is not valid without purification,[126] which is either ablution when water is present or dry ablution when water is not present. Indicated by the speech **(the entrance is magnification)** is that by entering into the prayer you make everything prohibited upon you.

[125] Al-Hakim from Abu Said Al-Khudri, At-Tirmidhi and Abu Dawood from Ali.

[126] Mulla Ali Al-Qari states in the commentary of *Fiqh Al-Akbar* that it is an act of disbelief to pray without purification.

The magnification makes prohibited the permissible which you allowed yourself.[127] He said, **(and (the exit is greeting)** means you can return to what you left, as the greeting makes what was permitted before the opening magnification permitted again; and Allah is the only helper.

وَإِنَّمَا قُلْنَا بِأَنَّ الطَّهَارَةَ مِن النَّجَاسَةِ شَرطٌ بِالكِتَابِ وَالسُّنَّة.أَمَّا الكِتَابُ : فَقَولُهُ تَعَالى: وثِيَابَكَ فَطَهِّر وَقِيلَ فِيَ التَّفسِيرِ أَي فَقَصر.

We say that cleanliness from major filth is a condition by the Quran and the hadith. The Quran states, "Your raiment purify."[128] (Some say) The exegesis on this verse means to shorten.[129]

(We say that cleanliness from major filth is a condition by the Quran and the hadith. The Quran states, "Your raiment purify")[130]. If it is

[127] The normal actions of your daily life.

[128] Quran, the Cloaked One, 74:4.

[129] To shorten one's clothes.

[130] Quran, the Cloaked One, 74:4.

visible, it means the clothes that are worn and it means to become purified from filth.

(Some say) that **(the exegesis on this verse means to shorten).** Al-Zajjaj[131] says that it means, "If he is unable to prevent himself from filth because of length but inclines to what we have mentioned; this is what the Jurists say." It is necessary to purify oneself, as has been mentioned, from filth on the clothes or body by textual proof. If it comes onto the clothes in the first place, then it is necessary to remove it for the prayer.

أَمَّا السُّنَّةُ: فَمَا رُوِيَ عَنْ الرَّسُولِ صَلَّى اللهُ عَلَيهِ وَسَلَّمَ أَنَّهُ قَالَ:لَا يَقبَل اللهُ صَلَاةً إِلَا بِطَهُورٍ وَلَا صَدَقَةً مِن غُلُولٍ وَالغُلُولُ:هِيَ الخِيانَةُ فِيَ المغنمِ . وَإِنَّمَا قُلنَا بِأَنَ الطَّهَّارَةَ المَكَن الخِ

Hadith: the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "Allah does not accept prayer without

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[131] Imam Az-Zajjaj, author of the famous book on the meanings of the Quran. He passed away in the Islamic year 311 A.H.

cleanliness, and charity from theft."[132] Theft is stolen spoils of war. We say that the place must be purified and so on.

(Hadith: the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "Allah does not accept prayer without cleanliness). Its acceptance is conditional on purification and the condition is the absence of filth. This part of the hadith indicates the necessity of purification. Then he (may Allah bestow upon him peace and blessings) said, **(and charity from theft).**[133]

We digress to dry ablution sourced from the hadith and the exegesis of, **(theft is stolen spoils of war)**; even though the spoils of the Muslims are from the disbelievers. It refers to charity given by someone who took the spoils before division. It is not permissible for them to take it because they do not own it, as spoils are not owned until they are divided up.

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[132] Muslim from Ibn Umar.

[133] Ibn Khuzayma from Ibn Umar 1/8, Ibn Majah from Usama Ibn Umair Al-Hadli 1/271.

(We say that the place must be purified and so on) from filth that could affect one's prayer.[134]

وَإِنَّمَا قُلنَا بِأَنَ سَترَ الْعَورَةِ شَرطٌ بِالكِتَابِ وَالسَّنَّةِ . أَمَّا الْكِتَابُ: فَقَولُه تَعَالى : يَابَنِي آدَمَ خُذُوا زِينَتَكُم عِندَ كُلِّ مَسجِدٍ وَالمُرَاد مِن الزِّينَةِ: إِنَّمَا هِيَ سَترُ الْعَورَةِ.

We say that to cover nakedness is a condition of the prayer by the Quran and the hadith. The Quran states, "O children of Adam! Look to your adornment at every place of worship."[135] The purpose of this is to adorn by only covering ones nakedness.

(We say that to cover nakedness) meaning covering up, correctly, with clothes of the correct thickness, **(is a condition of the prayer by the Quran and the hadith. The Quran states, "O children of Adam! Look to your adornment at every place of worship."[136] The purpose of this is to**

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[134] Praying were filth is present will affect the prayer by making it disliked or even invalid, depending on amount.

[135] Quran, the Heights, 7:31.

[136] Quran, the Heights, 7.31.

adorn). In every single prayer, and the place for worship is a place that can be considered pure. **(The purpose of this is to adorn by only covering ones nakedness.)**

وَأَمَّا السُّنَّةُ : فَمَا رُوِىَ أَبُو هُرَيرَةُ رَضِي اللهُ عَنهُ أَن رَسُولَ اللهِ صَلَّى اللهُ عَلَيهِ وَسَلَّم سُئِلَ عَن الصَّلَاةِ فِيَ ثُوبٍ وَاحِدٍ فَقَالَ:"أَو كُلُكُم يَجِد ثُوبَينَ" وَ فِيَ رَوَايةُ أَو لَكُلكُم ثُوبَان".

Hadith: Abu Hurayrah[137] (may Allah be pleased with him) narrates that the Messenger of Allah (may Allah bestow upon him peace and blessings) was asked about praying in one garment, to which he replied, "Or can you not find two garments?" Or in another narration, "Everyone

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[137] Abu Hurayrah Abdurrahman Ibn Shkhir Ad-Dausi, companion of the Prophet (may Allah bestow upon him peace and blessings) narrated the most hadith. He said, "During the times of ignorance, my name was Abdus-shams, then the Prophet (peace and blessings be upon him) named me Abdurrahman. I was called Abu Hurayrah because I used to keep a kitten up my sleeve. Then someone said to me, 'You are Abu Hurayrah,'" (meaning you are father of cats). He passed away in 59 A.H. when he was 78 years old (*Isad Al-Ghabah*).

use two garments."

(Hadith: Abu Hurayrah (may Allah be pleased with him) narrates that the Messenger of Allah (may Allah bestow upon him peace and blessings) was asked about praying in one garment, to which he replied, "Or can you not find two garments." Or in another narration, "Everyone use two garments.[138])

The question is from the questioner and the answer is from the Prophet, upon him be peace, that it is necessary to wear clothes to cover the body.

[138] Bukhari, 1/351; Muslim from Abu Hurayrah, 1/515.

وَإِنَّمَا قُلنَا بِأنَ استِقبَالَ القِبلَةِ شَرطٌ بِالكِتَابِ وَالسُّنَّةِ أَمَّا الكِتَابُ : فَقَولهُ تَعَالى:"فَوَلِّ وَجهَكَ شَطرَ المَسجِدِ الحَرَامِ وَحَيثُ مَا كُنتَم فَوَلُّوا وُجُوهَكُم شَطرَهُ".

We say that facing the Qibla is a condition of the prayer by the Quran and the hadith. The Exalted said, "So turn your face to the inviolable place of worship (Ka'ba) and wheresoever you may be turn your faces toward it."[139]

(We say that facing the Qibla is a condition of the prayer by the Quran and the hadith. The Exalted said, "So turn your face to the inviolable place of worship (Ka'ba) and wheresoever you may be turn your faces toward it")[140].

Meaning turn in the direction of [turn your being towards] the sacred masjid, its direction and its name, because facing the exact prayer direction is difficult for those outside of Makkah.

[139] Quran, the Heffer, 2:144.

[140] Quran, the Heffer, 2.144.

وَأَمَّا السُّنَّةُ : فَمَا رُوِيَ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ حِينَمَا عَلَّمَ الأَعْرَابِي أَرْكَانَ الصَّلَاةِ فَأَمَرَه فِي ذَلِك بِاسْتِقْبَالِ الْقِبْلَةِ

Hadith: it is narrated the Messenger of Allah (may Allah bestow upon him peace and blessings) taught a Bedouin the pillars of prayer and instructed him to face the Qibla.

(Hadith: It is narrated the Messenger of Allah (may Allah bestow upon him peace and blessings) taught a Bedouin[141]**)**, as his prayer was not correct, **(the pillars of prayer and instructed him to face the Qibla)**. He taught him its necessities because he was sent to elucidate the sacred law, upon him be peace and blessings.

[141] Reported in Bukhari.

وَإِنَّمَا قُلْنَا بِأَنَّ الْوَقْتَ شَرْطٌ بِالْكِتَابِ وَالسُّنَّةِ .فَأَمَّا الْكِتَابُ : فَقَوْلُهُ سُبْحَانَهُ وَتَعَالَى: " فَسُبْحَانَ اللهِ حِينَ تُمْسُونَ وَحِينَ تُصْبِحُونَ وَلَهُ الْحَمْدُ فِي السَّمَاوَاتِ وَالأَرْضِ وَعَشِيًّا وَحِينَ تُظْهِرُونَ" وَالْمُرَادُ مِنْهُ أَوْقَاتُ الصَّلَوَاتِ هَكَذَا ذُكِرَ فِي التَّفْسِيرِ.

We say that time is a condition by the Quran and hadith. Quran: Allah (Mighty and Majestic) states, "So glorify Allah when you enter the night, when you enter the morning. Unto Him be praise in the heavens and in the earth – and at the sun's decline and in the noonday."[142] This refers to the times of the prayers as it is mentioned in exegesis.

(We say that time is a condition by the Quran and hadith. Quran: Allah (Mighty and Majestic) states, "So glorify Allah when you enter the night, when you enter the morning. Unto Him be praise in the heavens and in the earth – and at the sun's decline and in the noonday"),[143] which

[142] Quran, the Romans, 30:114.

[143] Quran, the Romans, 30.144.

means He is free from things that do not befit Him;[144] pray to Allah (the Exalted) when you enter the night, at Maghrib and Isha time. When you enter the morning refers to Fajr prayer, at the sun's decline means Asr, and this is linked to entering the night, and in the noonday means Zuhur.

Ibn Abbas (may Allah show him mercy) was asked, "Are you able to find the five prayers in the Quran?" He replied, "Yes" and then gave this Quranic passage as proof.[145]

(This refers to) the objective being to glorify Allah at these times. Guard **(the times of the prayers as it is mentioned in exegesis),** is stated without explanation of the number, order or amount. The number and order was given when Jibril prayed for two days in front of the Prophet (may Allah bestow upon him peace and blessings).

[144] Allah cannot be attributed with any negative attributes. Imam Laqqani says in the Jewels of Monotheism/*Jawhar Al-Tawheed* in line 25, "He is free from all negative attributes," meaning Allah (the Exalted) has no negative attributes at all.

[145] The proof for Asr is "Be you watchful over the prayers, and the middle prayer" (Quran, The Heffer, 2:238). The middle prayer is Asr, and according to one companion is it Zuhur.

أَمَّا السُّنَّةُ : فَمَا رُوِيَ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ : "أَمَّنِي جِبْرِيلُ عَلَيْهِ السَّلَامُ بِإِزَاءِ بَابِ الْكَعْبَةِ فِي يَوْمَيْنِ فَصَلَّى الْفَجْرَ فِي الْيَوْمِ الْأَوَّلِ حِينَ طَلَعَ الْفَجْرُ الثَّانِي وَصَلَّى الظُّهْرَ حِينَ زَالَتْ الشَّمْسُ مِقْدَارَ شِرَاكِ النَّعْلِ وَصَلَّى الْعَصْرَ حِينَ صَارَ ظِلُّ كُلِّ شَيْءٍ مِثْلَهُ سِوَى فَيْءِ الزَّوَالِ وَصَلَّى الْمَغْرِبَ حِينَ غَرَبَتْ الشَّمْسُ وَصَلَّى الْعِشَاءَ حِينَ غَابَ الشَّفَقُ" وَالشَّفَقُ هُوَ الْبَيَاضُ الَّذِي فِي الْأُفُقِ بَعْدَ الْحُمْرَةِ عِنْدَ أَبِي حَنِيفَةَ.

Hadith: It is narrated that the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "I was ordered by Jibril, upon him be peace, to face the Ka'ba for two days. On the first day he prayed Fajr at first light, secondly he prayed Zuhur after the sun passed the zenith, the extent of a sandal strap, he prayed Asr when the shadow of everything reached a like amount of its length minus the shadow at the zenith, he prayed Maghrib after sunset and Isha after the redness left the sky." Twilight is the whiteness that is across the horizon after redness according to Abu Hanifa.

(Hadith: It is narrated the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "I was ordered by Jibril, upon him be

peace, to face the Ka'aba for two days. On the first day he prayed Fajr at first light). This is called the true dawn. In the book *Al-Inayah*[146], "True dawn is when the whiteness spreads across the horizon."

Secondly, **(he prayed Zuhur after the sun passed the zenith; the extent of a sandal strap.)** Zawwal, or the zenith of the sun, is when it inclines to the east, and there is no disagreement between the Muslims because the time of Zuhur enters when the sun inclines; the only difference is regarding its end time. In *Al-Hashiyah*,[147] "The last time of Zuhur according to Abu Hanifa is when the shadow of everything is equal to it; minus the shadow at the zawwal time. Abu Yusuf and Imam Muhammad say that this is what the other three Imams[148] say, that the time is when the shadow becomes like it."

(He prayed Asr when the shadow of everything reached a like amount of its length minus the shadow at the zenith). This is what has been taken by Abu Yusuf and Imam Muhammad (may Allah be pleased

[146] Commentary on *Al-Hiddayyah* by Muhiuddin Abu Muhammad Abdulqadir Ibn Muhammad Al-Qurshi, who passed away in 775 A.H.

[147] Not found.

[148] Imam As-Shafi, Imam Malik and Imam Ahmed Ibn Hanbal (may Allah be pleased with them).

with them), and this is the opinion of Imam Shafi (may Allah show him mercy) according to Al-Hassan.[149] Imam Muhammad transmits from Abu Hanifa. Imam Tahawi said, "We accept their speech." Al-Karkhi said, "Their speech means the Asr and Isha prayers." Most of the opinions agree with Abu Hanifa and the authors of concise texts rely on this. There is disagreement to which is the soundest, as you can see, so it is permissible to take either opinion as they are both reliable.

(He prayed Maghrib after sunset); there is no disagreement regarding its start time. Abu Salmah[150] said, "The Prophet (may Allah bestow upon him peace and blessings) used to pray Maghrib when the sun set and it was blocked."[151]

[149] Al-Hassan Ibn Zayd Al-Lullu Taj Al-Tarjuman.

[150] Abdullah Ibn Abd Al-Asad Al-Makhzumi, one of the companions who attended Badr and Uhud. He died from wounds received at Uhud and was also of those who migrated to Habasha (*Isad Al-Ghabah*, 6/152).

[151] Muslim, 1/636; At-Tirmidhi, 1/164, from Salamah Ibn Al-Akwa'a.

Abu Dawud and others narrate that Abu Musa[152] said, "Indeed he (upon him be peace) indicated that the time for Maghrib is up until twilight" (narrated by Muslim[153] and others). This is proof for Imam Shafi that the extent of the time is enough for someone to make ablution, cover their nakedness, perform the call to prayer, perform the call of commencement, and perform five units. **(And Isha after the redness left the sky." Twilight is the whiteness)** that is displayed **(across the horizon after redness according to Abu Hanifa).** This is the opinion of Abu Bakr, the truthful, as the quality of twilight is from the tenderness of the heart and its quality is suitably white.

[152] Abu Musa Al-Ashari, one of the companions present at Haybar, who migrated to Habasha and was sent to Yemen as a judge. He died in Mecca in 42 A.H. *Isad Al-Ghabah.*

[153] Muslim, 1/641.

وَعِنْدَ أَبِي يُوسُفَ وَ مُحَمَّدٍ وَالشَّافِعِيِّ هُوَ الْحُمْرَةُ"وَصَلَّى الْفَجْرَ فِي الْيَوْمِ الثَّانِي حِينَ أَسْفَرَ جِدًّا وَصَلَّى الظُّهْرَ حِينَ صَارَ ظِلُّ كُلِّ شَيْءٍ مِثْلَهُ

Abu Yusuf, Muhammad, and Imam Shafi say it is the redness. He prayed Fajr, on the second day, when it was very bright and Zuhur when the shadow of everything was like it.

(Abu Yusuf, Muhammad, Imam Shafi say it is the redness). This is a narration from Abu Hanifa and a hadith from Ibn Abbas. There is a legal edict upon this, as stated in texts such as Al-*Mujama.* Sheikh Qasim said in *Tasahih Al-Quduri,*[154] "The opinion of our Imam is relied upon." In *Al-Saraj*[155] it states, "The opinion of the other two is wider for the people and Abu Hanifa's opinion is the most cautious." The time of Witr is the time of Isha, except that it is necessary to delay one from the other according to necessary order. This is an obligatory action according to Abu

[154] This work verifies *Mukhtasar Al-Quduri.*

[155] Siraj Al-Wahaj, a commentary on *Mukhtasar Al-Quduri* by Abu Bakr Ibn Ali Al-Haddad.

Hanifa and with the other two, it is Sunna after Isha and not correct before it.

(He prayed Fajr, on the second day, when it was very bright). First light in the morning is when the light has no doubt in it, and Abu Hanifa and his companions adopted this. The Prophet, upon him be peace, said, "The more yellow the Fajr, the greater its reward" (narrated by Tirmidhi).[156] The definition of first light is to pray in the time which if you nullified the prayer, you could purify and repeat it with the desired recitation before sunrise.

He prayed **(Zuhur)** on the second day **(when the shadow of everything was like it);** this is what Abu Hanifa, may Allah show him mercy, adopted. He said that the time of Zuhur remains until the shadow of everything is like it, and the first is abrogated by this. If the time exits like the last time of Zuhur then it is prohibited. This indicates to delay, which is the manifest transmission.[157] According to Abu Hanifa in a narration and the other two, the time of Zuhur is until the likeness of the shadow; the weightier of these is followed by Imam Tahawi and Al-Karkhi

[156] At-Tirmidhi, 154; Ibn Majah, 4/1490; both from Rafi'a Ibn Khadij.

[157] Zahir Al-Riwayyah – relied upon opinions.

who said, "We issue legal edict upon it." There is disagreement as to which is relied upon, as can be seen, so taking either one is permissible as it appears or when seen.

وَ صَلَّى الْعَصْرَ حِينَ صَارَ ظِلُّ كُلِّ شَيْءٍ مِثْلَيْهِ سِوَى فَيْءِ الزَّوَالِ

He prayed Asr when the shadow of everything was twice the length of its height minus the shadow at the zenith.[158]

(He prayed Asr when the shadow of everything was twice the length of its height minus the shadow at the zenith). The great Imam Abu Hanifa Al-Numan took this and others said, "It is desired to delay the Asr prayer as long as the sun does not change."[159]

[158] At-Tirmidhi, Imam Ahmad and Bayhaqi, from Ibn Abbas.

[159] Just before sunset.

وَصَلَّى الْمَغْرِبَ حِينَ يُفْطِرُ الصَّائِمُ وَصَلَّى الْعِشَاءَ حِينَ مَضَى ثُلُثُ اللَّيْلِ

He prayed Maghrib when the faster breaks his fast and prayed Isha when a third of the night has passed.

(He prayed Maghrib when the faster breaks his fast); this has two authentic transmissions, "He used to pray Maghrib when the sun set and it was blocked." We say, "It is desired to pray Maghrib quickly in the summer and winter."[160] There should be no gap between the call to prayer and call of commencement, except for sitting for a short time or silence, and it is disliked to delay it until the stars begin to appear.

(Prayed Isha when a third of the night has passed); this is the explanation of what is desired, as narrated by At-Tirmidhi, and it is authentic: "If I did not want to place hardship on my nation [I would prefer them] to delay Isha until a third or half of the night has passed."[161]

[160] All the time.

[161] At-Tirmidhi, 1/149; Imam Ahmed, 1/3322; Al-Bayhaqi in *Al-Kubra*, 1/1583; all from Ibn Abbas.

This is desired in winter and summer and it is permissible to delay to half the night, but is disliked after this time. It is desired to delay Witr until the last part of the night for whoever is sure that he can perform it, and if he cannot then he can perform it earlier; and this is better.

ثُمَّ الْتَفَتَ إِلَيَّ فَقَالَ:" يَا مُحَمَّدُ هَذَا وَقْتُكَ وَوَقْتُ الأَنْبِيَاءِ مِنْ قَبْلِكَ وَوَقْتُ أُمَّتِكَ مِنْ بَعْدِكَ مَابَيْنَ هَذَيْنِ الْوَقْتَيْنِ"

Then he turned to me and said, "O Muhammad, these are your times and the times of the prophets before you and the time of your nation is between the two."

Then he (may Allah bestow upon him peace and blessings) said, **(Then he turned to me)** meaning Jibril, upon him be peace, **(and said, "O Muhammad, these are your times)** in which to pray, **(and the times of the prophets before you)**, as they used to pray in these times.

The first to pray Fajr was Adam, upon him be peace, after he was taken out of heaven into the darkness of the world. In the middle of the

night he became overcome by extreme fear. When dawn came and the light began to appear he prayed to Allah (the Exalted) out of gratitude.

The first to pray Zuhur was Ibrahim, upon him be peace, when it was called out, "O Ibrahim you were true to your vision". This was at the time of zawwal.

The first to pray Asr was Yunis, upon him be peace, when Allah freed him from the belly of the whale at the time of Asr.

The first to pray Maghrib was Isa, upon him be peace, when Jibril informed him that his nation would call him one of a three; he then prayed three units and this was after sunset.

The first to pray Isha was Musa, upon him be peace, when he arrived on a path that left Madiyan. He had four problems and so he prayed four units.

The first one to pray Witr was the Messenger of Allah, peace and blessings be upon him, on the night of heavenly accession in the station of Jibril at the lote tree.

The ending of the hadith, **(and the time of your nation is between the two"**[162]), clarifies the beginning times and the end times as they were doubtful, as explained. It was not clear whether they were a prayer time also. The times of neglect are as he (upon him be peace and blessings) clarified.

وَإِنَّمَا قُلْنَا بِأَنَّ النِّيَّةَ شَرْطٌ بِالْكِتَابِ وَالسُّنَّةِ. أَمَّا الْكِتَابُ: قَوْلُهُ تَعَالَى: "وَ مَا أُمِرُوا إِلَّا لِيَعْبُدُ اللهَ مُخْلِصِينَ لَهُ الدِّينَ". وَالإِخْلَاصُ لا يَحْصُلُ إِلَّا بِالنِّيَّةِ وَ النِّيَّةُ هُوَ قَصْدٌ.

Surely, we say that intention is a condition by the Quran and hadith. Allah the Exalted says in the Quran: "And they were ordered naught else than to serve Allah, keeping religion pure for him."[163] Sincerity will not be reached except by intention and intention is the goal.

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[162] At-Tirmidhi, 1/149; Ahmad, 1/3322; Bayhaqi, 1/1583; all from Ibn Abbas.

[163] Quran, Clear Proof, 98:5.

(Surely, we say that intention is a condition by the Quran and hadith. Allah the Exalted says in the Quran: "And they were ordered), referring to the books the Torah and the Injil, **(naught else than to serve Allah, keeping religion pure for him).**[164] **(Sincerity will not be reached except by intention).** The completion of the ayah states, "That is the ancient religion."[165] Sincerity is as necessary for us as it was for them; therefore our companion said, **(and intention is the goal),** as praying with sincerity and fulfilling its objective is perfection. It is stated in *Al-Inayah*[166], "The ruling of action with intention is that its reward is attached to it." The reality of this hadith is abandoned and therefore we should explain it by saying that you will not arrive to excellence without intention. It was said that the ability of the prayer is action and action with intention is prayer with intention; so whoever does not have an intention does not have prayer!

[164] Quran, Clear Proof, 98.5.

[165] Quran, Clear Proof, 98.5.

[166] Commentary on *Al-Hidayyah* Akmal Ud-Din Muhammad Ibn Muhammad Al-Babarti, who died in 786 A.H.

وَأَمَّا السُّنَّةُ : فَمَا رُوِيَ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ:"إِنَّمَا الأَعْمَالُ بِالنِّيَاتِ وَلِكُلِّ امْرِئٍ مَا نَوَى فَمَنْ كَانَتْ هِجْرَتُهُ إِلَى اللهِ وَرَسُولِهِ فَهِجْرَتُهُ إِلَى اللهِ وَرَسُولِهِ وَمَنْ كَانَتْ هِجْرَتُهُ إِلَى دُنْيَا يُصِيبُهَا أَوْ إِلَى امْرَأَةٍ يَتَزَوَّجُهَا فَهِجْرَتُهُ إِلَى مَا هَاجَرَ إِلَيْهِ"

Hadith: It is narrated that the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "Actions are commensurate to intentions, to every intender is his intention. Whoever's emigration is for Allah and His Messenger, then his emigration is for Allah and His Messenger. And whoever's emigration is for any worldly gain or for a woman he is to wed, then his emigration is for what he migrated."[167]

(Hadith: It is narrated that the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "Actions are commensurate to intentions, to every intender is his intention. Whoever's emigration is for Allah and His Messenger), meaning whoever emigrates for the pleasure of Allah (the Exalted) and he is exemplary in following the orders of Allah and distancing himself from Allah's prohibitions, **(then his emigration is for Allah and His Messenger. And whoever's emigration is for any worldly**

[167] Bukhari and Muslim, from Umar.

gain), meaning who does not want the afterlife (and truly he will get only what he intended), **(or)** their migration was **(for a woman he is to wed, then his emigration is for what he migrated"[168])**. If one does emigrate for worldly gain or for a woman who he wishes to wed then there is no reward for him. Abu Musa narrated, "Do not curse the world as it is the mount of the believer, upon which good is attained and evil is fled from."

وَإِنَّمَا قُلْنَا بِأَنَّ تَكْبِيرَةَ الافْتِتَاحِ رُكْنٌ بِالْكِتَابِ وَالسُّنَّةِ. أَمَّا الْكِتَابُ: فَقَوْلُهُ تَعَالَى: " وَذَكَرَ اسْمَ رَبِّهِ فَصَلَّى" وَقَوْلُهُ تَعَالَى: " وَرَبَّكَ فَكَبِّرْ".

Truly, we say that the opening magnification is a pillar by the Quran and the hadith. Allah the Exalted says in the Quran: "And mention the name of your Lord then pray."[169] Also, "Magnify your Lord."[170]

(Truly we say that the opening magnification is a pillar by the Quran and the hadith. Allah the Exalted says in the Quran: "And mention the name of your Lord then pray")[171]. Also, "Magnify your Lord"[172], meaning praise your Lord. He has all the attributes of greatness and we also say that Allah is the Greatest. The consensus of the Quranic commentators is that this means the opening magnification. It is considered a pillar attached to the prayer, except that it is a condition, according to the relied upon opinion.[173]

[168] Bukhari, 1/1; Muslim, 3/1907; both from Umar.

[169] Quran, the Most High, 87:15.

[170] Quran, the Cloaked One, 74:3.

[171] Quran, the Cleaving, 87.15.

[172] Quran, the Cloaked One, 74.3.

[173] It is not a pillar of the prayer according to Imam Muhammad but a condition before the prayer.

وَأَمَّا السُّنَّةُ: فَمَا رُوِيَ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ:" مِفْتَاحُ الصَّلَاةِ الطُّهُورُ وَتَحْرِيمُهَا التَّكْبِيرُ وَتَحْلِيلُهَا التَّسْلِيمُ". وَإِنَّمَا قُلْنَا بِأَنَّ الْقِيَامَ رُكْنٌ بِالْكِتَابِ وَالسُّنَّةِ .أَمَّا الْكِتَابُ فَقَوْلُهُ تَعَالَى:" وَقُومُوا لِلَّهِ قَانِتِينَ" بِمَعْنَى خَاشِعِينَ .

Hadith: It is narrated that the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "The key to prayer is purification, its entrance is magnification and its exit is greeting." [174] Truly, we say that standing is a pillar by the Quran and hadith. Allah the Exalted states in the Quran, "Stand up with devotion to Allah."[175] The meaning is dedication.

(Hadith: It is narrated that the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "The key to prayer is purification, its entrance is magnification and its exit is greeting"). This is proof for the opening magnification, purification, as mentioned in the previous hadith.

[174] Al-Hakim, from Abu Said Al-Khudri; At-Tirmidhi and Abu Dawood, from Ali.

[175] Quran, the Heffer, 2:238.

(Truly, we say that standing is a pillar by the Quran and hadith. Allah the Exalted says in the Quran: "Stand up with devotion to Allah."[176] The meaning is dedication). It was said that it means obedience. The reason for the order is to necessitate standing, although not outside the prayer.

وَأَمَّا السُّنَّةُ : فَقَوْلُهُ عَلَيْهِ الصَّلَاةُ وَالسَّلَامُ:" يُصَلِّي الْمَرِيضُ قَائِمًا فَإِنْ لَمْ يَسْتَطِعْ فَقَاعِدًا فَإِنْ لَمْ يَسْتَطِعْ فَمُسْتَلْقِيًا عَلَى قَفَاهُ يُومِئُ بِرَأْسِهِ إِيمَاءً فَإِنْ لَمْ يَسْتَطِعْ يُؤَخِّرُ الصَّلَاةَ فَاللهُ سُبْحَانَهُ وَتَعَالَى أَوْلَى بِالتَّجَاوُزِ وَالْكَرَمِ".

Hadith: he [the Prophet] (may Allah bestow upon him peace and blessings) said, "The prayer of the sick is standing, if you are unable, sitting. If you are unable, lying down on your back indicating with your head. If you are unable, postpone your prayer, as Allah (Mighty and Majestic) is the first to forgive."[177]

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[176] Quran, the Heffer, 2.238.

[177] Bayhaqi in As-Sughra, 1/621, and Tabarani in *Mu'jam Al-Awsat*, 4/3997, from Ali.

(Hadith: he [the Prophet] (may Allah bestow upon him peace and blessings) said, "The prayer of the sick is standing), with bowing and prostrating if one is able. The order, **(if you are unable)** to stand because it causes great pain, means you can pray **(sitting),** performing bowing and prostration. **(If you are unable)** to sit because you have severe pain, then you can pray **(lying down on your back)** praying, **(indicating with your head),** as worship is according to your ability. Shams Al-Imma Al-Halwani[178] said, "He indicates by lowing his head for bowing then prostration, this is permissible. If he puts a pillow before him and presses his forehead upon it and does the least bowing, it is permissible, and not if it is not." The end of the hadith mentions that one can also indicate with one's head if necessary.

(Postpone your prayer, as Allah (Mighty and Majestic) is the first to forgive"[179]): prayer falls completely if one is incapacitated for more than a day and a night,[180] even if one is awake according to the soundest opinion. The author of *Al-Hidiyyah*[181] states, "It does not fall, if he is awake, but he delays until he is able to do perform prayer and makes up later." If the incapacity is a day or a night, it does not fall except without disagreement. It is not permissible to indicate with the eyes, the eyebrows and not in the heart according to us, as presented in the hadith. Imam Shafi (may Allah show him mercy) said that he can indicate with his eyes or, if he is unable, with his heart. It is authenticated that Imran Ibn Hasan narrated from Ibn Umar, "If he is not able to indicate with his head then Allah is more worthy of accepting the excuse from him."[182] Allah is the only helper.

[178] Abdulaziz Ibn Ahmed Ibn Nasr Ibn Salih. He was the Imam of the Hanafi's in his time in Bukhara. His father used to make sweets and because of his love for the people of knowledge he would give them all sweets. Then Allah (the Exalted) made one of his sons a scholar.

[179] Bayhaqi in As-Sugra, 1/621; Tabarani in *Mu'jam Al-Awsat*, 4/3997, from Ali.

[180] For a period that he misses more than five prayers.

[181] Imam Burhan Ad-Din Ali Ibn Abu Bakr Al-Maghinani, one of the great Hanafi scholars of the past.

[182] Not currently found.

وَإِنَّمَا قُلْنَا بِأَنَّ الْقِرَاءَةَ رُكْنٌ بِالْكِتَابِ وَالسُّنَّةِ. أَمَّا الْكِتَابُ : قَوْلُهُ تَعَالَى: "فَاقْرَءُوا مَا تَيَسَّرَ مِنَ الْقُرْآنِ".

Truly, we say that recitation is a pillar by the Quran and the hadith. Allah the Exalted said in the Quran: "Recite then what is easy from the Quran."[183]

(Truly, we say that recitation is a pillar by the Quran and the hadith. Allah the Exalted said in the Quran: "Recite then what is easy from the Quran").[184] This is an order to recite; it is not obligatory outside the prayer but it is specific for inside the prayer. It is only obligatory to recite in the first two units, as we have mentioned, and it is not necessary to reiterate.

Regarding its legality, it is obligatory in the first units and not in the second part.[185] So it is needed to recite in them both. The necessity is

[183] Quran, the Enshrouded One, 73.20.

[184] Quran, the Enshrouded One, 73:20.

[185] The first units meaning the first two units of any prayer then in the second two units it is Sunna. This is concerning a prayer which has four units in total.

by proof because they resemble each other in every aspect. The first pair do not resemble the second and are not connected.

وَأَمَّا السُّنَّةَ: فَقَوْلُهُ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: "لا صَلاةَ إِلاَّ بِفَاتِحَةِ الْكِتَابِ" أَيْ: بِالْقِرَاءَةِ.

Hadith: he [the Prophet] (may Allah bestow upon him peace and blessings) said, "There is no prayer except with Sura Fatiha."[186] Meaning, recitation.

(Hadith: he [the Prophet] (may Allah bestow upon him peace and blessings) said, "There is no prayer except with Sura Fatiha."[187] Meaning recitation). This is the necessary recitation for the Imam and the individual. As for the follower, he does not recite at all. He said (upon

[186] At-Tirmidhi, 2/247; Ibn Hibban, 5/1786; Abu Awana, 1/1664-1665; all from Ubada.

[187] At-Tirmidhi, 2/247; Ibn Hibban, 5/1786; Abu Awana, 1/1664-1665; all from Ubada.

him be blessings) said, "Whoever prays behind an Imam, his recitation is your recitation."[188]

According to Zayd Ibn Thabit, "Whoever recites behind an Imam, he has no prayer."[189] Meaning complete prayer, as the prayer is valid but disliked.

وإنَّما قُلْنا بِأنَّ الرُّكُوعَ وَالسُّجُودَ رُكْنٌ بِالْكِتَابِ وَالسُّنَّةِ. أَمَّا الْكِتَابُ : فَقَوْلُهُ تَعَالَى:" يَأَيُّهَا الَّذِينَ آمَنُوا ارْكَعُوا وَاسْجُدُوا وَاعْبُدُوا رَبَّكُمْ وَافْعَلُوا الْخَيْرَاتِ". وَأَمَّا السُّنَّةَ: فَمَا رُوِيَ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حِينَ عَلَّمَ الأَعْرَابِيَّ أَرْكَانَ الصَّلاةِ عَلَّمَهُ فِي ذَلِكَ الرُّكُوعَ وَالسُّجُودَ .

Truly, we say that bowing and prostrating is a pillar by the Quran and hadith. Allah the Exalted said in the Quran: "O you who believe! Bow down, prostrate yourselves, worship your Lord, and do good."[190] Hadith: It is narrated that the Messenger of Allah (may Allah bestow upon him

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[188] Al-Bayhaqi in *Al-Kubra*, 2/2722, from Jabir; Ad-Daraqutni, 1/4; Tabarani, 8/7903

[189] Al-Bayhaqi; Abdurrazak 2802; Ibn Abu Shaybah, 3788.

[190] Quran, the Pilgrimage, 22.77.

peace and blessings) taught a Bedouin the pillars of prayer that included bowing and prostration.

(Truly, we say that bowing and prostrating is a pillar by the Quran and hadith. Allah the Exalted said in the Quran: "O you who believe! Bow down, prostrate yourselves, worship your Lord, and do good),[191] so you are successful."[192] Here is the order of bowing and prostration; these are not obligations outside the prayer but specific for the prayer. It was said, "The first people who became Muslim prostrated but did not bow and others bowed but did not prostrate and then they were ordered to pray with bowing and prostration" (reported in *Al-Inayah*).

(Hadith: It is narrated that the Messenger of Allah (may Allah bestow upon him peace and blessings) taught a Bedouin) (The errors of his prayer) **(The pillars of faith that included bowing and prostration),** which are confirmed by the Sunna.

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[191] Quran, the Pilgrimage, 22:77.

[192] Quran, the Pilgrimage, 22:77.

وَإِنَّمَا قُلْنَا بِأَنَّ الْقَعْدَةَ الْأَخِيرَةَ رُكْنٌ بِالْكِتَابِ وَالسُّنَّةِ. أَمَّا الْكِتَابُ فَقَوْلُهُ تَعَالَى: "الَّذِينَ يَذْكُرُونَ اللهَ قِيَامًا وَقُعُودًا وَعَلَى جُنُوبِهِمْ".

Truly, we say that the final sitting is a pillar by the Quran and the hadith. Allah the Exalted said in the Quran, "Those who remember Allah standing, sitting and on their sides."[193]

(Truly, we say that the final sitting) to the extent of the Tashahud, **(is a pillar by the Quran and the hadith. Allah the Exalted said in the Quran, "Those who remember Allah standing, sitting and on their sides")**[194] (If they are unable to sit down.) It is relied upon that the final sitting is affirmed by mass transmitted Sunna and is indicated here.

[193] Quran, the Family of Imran, 3:191.

[194] Quran, the Family of Imran, 3:191.

أَمَّا السُّنَّةُ فَمَا رُوِيَ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: "إِذَا أَحْدَثَ الإِمَامُ بَعْدَمَا قَعَدَ قَدْرَ التَّشَهُّدِ فَقَدْ تَمَّتْ صَلَاتُهُ وَصَلَاةُ مَنْ خَلْفَهُ إِنْ كَانَ حَالُهُمْ مِثْلَ حَالِ الإِمَامِ"

Hadith: It is narrated that the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "If you did as the Imam until the final sitting, then the prayer is complete; likewise the followers, if their state was similar to the Imam's."[195]

(Hadith: It is narrated that the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "If you did as the Imam until the final sitting, then the prayer is complete), meaning completed by the final sitting. It is not complete before it as it is an attached condition not present before it. The erudite scholar Qasim Ibn Qutlubgha[196] said, "We have arrived at a proof that is mass transmitted that the final sitting is obligatory." If the Imam's prayer is complete then the follower's is complete. **(Likewise the followers, if there state was similar to the**

[195] Not found currently.

[196] A Hanafi scholar who wrote many works including a commentary on *Mukhatasir Al-Quduri.*

Imam's"[197]), because breaking the prayer after completing the pillars does not nullify the prayer. This is for whoever started the prayer with the Imam, not the one who joined afterwards, as this corrupts the prayer because he was not present during the entire prayer and this nullifies it.[198]

[197] Not found currently.

[198] Here he broke his prayer before the Imam finished it.

فَصْلٌ فِي وَاجِبَاتِ الصَّلَاةِ

وَأَمَّا وَاجِبَاتُهَا فَسَبْعَةٌ: تَعْيِينُ فَاتِحَةِ الْكِتَابِ وَسُورَةٌ مَعَهَا أَوْ شَيْءٌ مِنَ الْقُرْآنِ فِي الرَّكْعَتَيْنِ الْأُولَيَيْنِ

9. Chapter on the obligations of prayer

The obligations are seven:

1. To recite Sura Fatiha
2. And a Sura with it or something from the Quran, in the first two units

Commentary on the chapter on the obligations of prayer

Now that we have finished the explanation of its conditions and pillars, we will begin the explanation of its necessities. **(The obligations are seven:)** An obligation is that which necessitates action, not knowledge, and it is not permissible to leave out. If left forgetfully it is necessary to do the forgetful prostration in the last sitting of the prayer, and if left on purpose, one has sinned, so there is no forgetful prostration upon him. First is **(To recite Sura Fatiha)**; this is for the Imam and the individual, as He (upon him peace and blessings) said, "There is no prayer for one who does not

recite Sura Fatiha and another Sura."[199] This is in the obligatory prayer and not the others. It is necessary (not obligatory) as it is a singular narration.[200]

Second is adding **(a Sura with it or something from the Quran)**, meaning a Sura or that which takes the place of a Sura and that is like a Sura with three short verses or one long one, as we have mentioned in the hadith. This is for **(the first two units)** of the obligatory prayer consisting of four or three units; but even if one were to read in the last two and not in the first, or in the first unit and the last, it is permissible, although it is necessary for one to make the forgetful prostrations.

Based upon the position, the obligatory recitation is in the first two and this is relied upon. There is an opinion that it is not obligatory to specify them (which units you will say them in) but it is not necessary and does not necessitate forgetful prostration, as mentioned in *Al-Bahr*.[201]

[199] Ibn Abu Shaybah, 3632, with a weak chain. Az-Zaylai mentions from Ibn Majah, At-Tirmidhi and others. Bukhari, 1/723, and Muslim, 1/394.

[200] The Shafi's say it is obligatory to recite Sura Fatiha, but we say it is necessary/wajib as the hadith is a singular narration and for it to be weighted with the Quranic passage it would have to reach a level of mass transmission.

[201] Ibn Nujaym's *Bahr al-Ra'iq*.

There is no mention of the ruling of necessities. In Sunnas and supererogatory prayers reciting Sura Fatiha in all units is necessary, as it is in all of the units of Witr, and in the other prayers of that are necessary, Sunna and supererogatory.

وَالْقَعْدَةُ الأُولَى وَقِرَاءَةُ التَّشَهُّدِ فِي الْقَعْدَةِ الأَخِيرَةِ وَالْقُنُوتُ فِي الْوِتْرِ

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3. The first sitting
4. Reading the Tashahud in the final sitting
5. Supplication in the Witr prayer

Third is **(the first sitting)** because the Prophet (peace and blessing be upon him) used to do it constantly, all his life, and this is the opinion of the majority. Imam Tahawi and Al-Karkhi say, "It is Sunna." This is in the first not the last units.

Fourth is **(reading the Tashahud in the final sitting)**. As for the first, it is Sunna according to the author and necessary according to the

school and the narration of Ibn Mas'ud; it is not separated by the first or second.

Fifth is **(supplication in the Witr prayer)** in all the constant Sunnas of him (upon him peace and blessings). The objective of qunut is to supplicate. It does not have to be a specific supplication, rather it is necessary to perform any supplication as long as it does not resemble the speech of men. It is desired, by some, to recite the well known supplication, "O Allah, we seek assistance from..." until its end. One who does not know it can say, "O Lord," three times or "Allah forgive me," and still obtain its reward.

وَتَعْدِيلُ الأَرْكَانِ وَالْجَهْرُ فِيمَا يُجْهَرُ وَالْمُخَافَتَةُ فِيمَا يُخَافَتُ.

6. Pillars in order
7. Reciting aloud in aloud prayers and silently in the remainder.

Sixth is to perform the **(pillars in order)**, with stillness of the limbs whilst bowing and prostrating until tranquil, such that the positions are separate and the magnifications are preformed. This is necessary as deduced by Al-Karkhi, Sunna according to the deduction of Al-Jurjani,[202] and obligatory according to At-Tahawi. As for being still whilst standing and sitting, this is Sunna according to Abu Hanifa and Imam Muhammad and is what some of the scholars chose. Sadr Al-Qudat[203] said, "Raising the head from bowing then straightening, standing and remaining tranquil throughout, perfect bowing, and completing every action that is necessary according to Abu Hanifa and Imam Muhammad; according to Abu Yusuf and Imam Shafi this is obligatory."

[202] Abu 'Abdullah Muhammad Ibn Al-Jurjani.

[203] Not identified.

Seventh is **(reciting aloud in aloud prayers)**, which is the right of the Imam. As for the individual [not praying with the Imam], he can choose to be silent[204] or read aloud, and reading aloud is superior as it gives the appearance of a gathering. Reciting aloud is for the Fajr prayer, the first two units of the Maghrib prayer and Isha prayer, Jummah prayer, the two Eid prayers, and the taraweeh and Witr prayers of Ramadan. One recites **(and silently in the remainder.)** It is also necessary upon the Imam and the individual. Silent recitation is in the Zuhur prayer, the Asr prayer, the last unit of the Maghrib prayer, the last two units of the Isha prayer, and in the eclipse and drought prayers.[205]

[204] The minimum recitation for the individual is so he can hear himself.

[205] The drought prayer according to the Hanafis is supplication and seeking forgiveness; there are no units to perform.

قَالَ بَعْضُهُمْ هُمَا وَاجِبَتَانِ وَقَالَ بَعْضُهُمْ هُمَا سُنَّتَانِ. وَالاخْتِلافُ إِنَّمَا تَظْهَرُ فِي وُجُوبِ سَجْدَتَيْ السَّهْوِ وَإِذَا تَرَكَهَا عَامِدًا لا يَجِبُ عَلَيْهِ سَجْدَةُ السَّهْوِ بِالاتِّفَاقِ وَإِنْ تَرَكَهَا نَاسِيًا قَالَ بَعْضُهُمْ يَجِبُ عَلَيْهِ سَجْدَةُ السَّهْوِ وَقَالَ بَعْضُهُمْ لا يَجِبُ عَلَيْهِ سَجْدَةُ السَّهْوِ

The first group says they are both obligations, whilst the second group says that these are Sunna.[206] The differences about the forgetful prostration: if left intentionally, then the forgetful prostration is not obligatory by agreement. If left forgetfully, the first group says that it is necessary while other says it is not necessary.[207]

(The first group say they are both obligations), and this is relied upon. **(Whilst the second group say that these are Sunna),** meaning the pillars in order, aloud, secretly, and this is Al-Jurjani's opinion.

(The differences) mentioned **(about)** its fruits, **(the forgetful prostration: if left intentionally then the forgetful prostration is not obligatory by agreement).** The ruling is that it is necessary. **(If left**

[206] In reference to the above points.

[207] This is a reliable position: please see further discussion in section on forgetful prostration.

forgetfully, the first group says that it is necessary), this is the opinion of those who say it is necessary, **(while the other says it is not necessary)**. This is the opinion that says it is Sunna and according to the madhab, it is necessary.

فَصْلٌ فِي سُنَنِ الصَّلَاةِ
وَأَمَّا سُنَنُهَا فَاثْنَيْ عَشَرَ : رَفْعُ الْيَدَيْنِ إِلَى شَحْمَتَيْ الْأُذُنَيْنِ

10. Chapter on the Sunnas of the prayer

The Sunnas are twelve:

1. Raising hands to the earlobes

Commentary on the chapter on the Sunnas of prayer

(The Sunnas), which are rewarded if done and the person is not sinful, if they are left according to the soundest opinion, **(are twelve)**.

First is **(raising hands to the earlobes)** with the opening magnification; beginning with its beginning and ending with its ending. Al-Hakim narrated, and it is authenticated, that Anas (may Allah be pleased with him) said, "I saw the Messenger of Allah (peace and blessings be upon him) say the magnification then raise his hands to his ears."[208] This is for men. As for the women, when making the opening

[208] Al-Hakim, 822.

magnification they raise their hands up to their shoulders because this conceals them more.

وَضْعُ الْيَدِ الْيُمْنَى عَلَى الْيَدِ الْيُسْرَى تَحْتَ السُّرَّةِ وَالثَّنَاءُ

2. Putting the right hand over the left under the belly button

3. Thana (or beginning supplication)

Second is **(putting the right hand over the left under the belly button)** after completing the opening magnification according to the relied upon opinion because he (upon him be peace) said, "Truly the people of the prophets were ordered to put their right hands over their left."[209] It is Sunna for every prayer that involves standing in which there are Sunnas mentioned: during Thana, in the dua of Witr, during catastrophes in prayer, aloud and in the four magnifications of the funeral prayer. You do not raise your hands during the magnifications for Eid (prayer). It was said, "It is Sunna for the recitation only," so do not raise your hands in these positions (Eid prayer).

Third is **(thana)** for the Imam, individual and follower because of the narration of Aisha (may Allah be pleased with her) who said, "The Prophet (peace and blessings be upon him) used to open the prayer by saying, 'Glory is yours, O Allah, praise is yours, blessed is your name, exalted is your majesty and there is no deity other than you.'"[210] Nothing more is added to the obligatory prayers. According to Abu Yusuf it should contain, "I have directed my face to He who has created the Heavens and the Earth," to "Lord of the Universe."[211]

[209] Tabarani in Al-Awsat from Ibn 'Abbas, 2/1884; Mujama Az-Zawid states that the men of Tabarani are authenticated.

[210] At-Tirmidhi, 2/243; Ibn Khazayma, 1/470.

[211] The first is the relied upon opinion and this supplication is sourced from the Quran 6:79. It is also used by the Shafi School.

وَالتَّعَوُّذُ وَالتَّسْمِيَةُ

4. Seeking refuge from Satan
5. Saying: Bismillah

Fourth is **(seeking refuge from Satan)** for the Imam and the individual; this is for the Quranic recitation, as every person who recites seeks refuge and if they do not recite then they do not seek refuge. The late comer is in this position, not the follower.[212] Seeking refuge is delayed until after the magnification of the Eid prayers. Truly, it is Sunna as Allah says, "If you read the Quran, then seek refuge with Allah from the accursed Satan."[213] It is enough to say, "I seek refuge with Allah from Satan accursed," or, "I ask Allah for refuge from Satan the accursed."

Fifth is **(saying Bismillah)** in every unit either secretly or aloud; for the Imam and the individual. The follower does not because he is not

[212] The late comer may miss the seeking refuge depending on the prayer and the time he arrived at the prayer. The follower will attain this.
[213] Quran, the Bee, 16:98.

reciting. There are disagreements in saying Bismillah with Fatiha and a Sura; according to Abu Hanifa and Abu Yusuf it is not Sunna. Imam Muhammad said, "The Sunna is fulfilled if done loudly or quietly." This is a disagreement about two Sunnas without dislike; this is agreed upon.

وَالتَّأْمِينُ وَالتَّسْمِيعُ وَ التَّحْمِيدُ

6. Saying: Ameen
7. Saying: Allah hears who praises Him
8. Saying: To our Lord is praise

Sixth is **(saying: Ameen)**[214] for every person praying, be they imam, follower or individual because of the hadith,[215] "If the Imam says Ameen then say Ameen as whoever's Ameen coincides with the Ameen of

[214] Meaning O Allah please except this supplication.
[215] The Ameen is always said silently according to the Hanafi's and aloud according to the Shafis.

the angels is forgiven his previous sins."[216] This is agreed upon for silent and aloud prayers. However, there is disagreement about the follower saying Ameen if the imam says it silently and the follower hears it so he says it [in a barely audible voice]. Some say he has to whereas others say no because this is aloud and has no expression.

Seventh is **(saying: Allah hears who praises Him).** It is the right of the Imam to say it.

Eighth is **(saying: To our Lord is praise)**, and it is the right of the follower and the individual to say it. Abu Yusuf and Imam Muhammad said, "The Imam joins these remembrances."[217] Abu Hurayrah (may Allah be pleased with him) narrates that the Prophet (upon him be peace) used to join them. Abu Hurayrah and Anis Ibn Malik (may Allah be pleased with them) both narrate that the Prophet (upon him be blessings) said, "If the Imam says, "Allah hears who praises Him," then you say, "To our

[216] Agreed upon (in Bukhari and Muslim) from Abu Hurayrah: Muslim, 1/410; Bukhari, 1/747.

[217] By saying them aloud.

Lord is praise"[218] (narrated by Bukhari). To separate the two is going against the joining of the phrases.

وَ تَسْبِيحَاتُ الرُّكُوعِ وَالسُّجُودِ وَ قِرَاءَةُ التَّشَهُّدِ فِي الْقَعْدَةِ الأُولَى

9. Glorification of Allah during bowing and prostrating

10. Reading Tashahud in the first sitting

Ninth is **(glorification of Allah during bowing);** what one says is, "Praise be to my great Lord," three times. According to a hadith in Ibn Majah, "If one of you bows then he should say 'Praise be to our Lord the High,' three times and then this is performed."[219] If the Imam lifts his head before the follower has completed three magnifications then he completes them [in prostration] according to a narration, and the soundest opinion is that he follows the Imam; whatever is more superior for the

[218] Agreed upon: Muslim, 1/409 from Abu Hurayrah; Al-Bukhari, 1/657 from Anas.

[219] Ibn Majah, 1/889; Abu Dawood, 1/886.

individual, as long as he has performed an odd number. As for the Imam, he does not say it more than three times because it makes it difficult for the people. Some of them say, "That the Imam should say four to allow the follower to say three."[220]

(And prostrating), praising and saying, "Praise be to our Lord the High," three times as stated in the previous hadith. Some say, "Praising in bowing and prostrating is desired." Abu Muti'a said, "This is obligatory and the prayer is not valid without it."

Tenth is **(reading Tashahud in the first sitting);** this is according to Imam Tahawi and Al-Karkhi, and the madhab says it is necessary as the predecessors explained.

[220] Five is also a number mentioned for the Imam to do to allow the followers to catch up in each station of the prayer.

فَاتِحَةِ الْكِتَابِ فِي الرَّكْعَتَيْنِ الأُخْرَيَيْنِ وَالتَّكْبِيرَاتُ الَّتِي تَتَخَلَّلُ فِي خِلَالِ الصَّلَاةِ سِوَى تَكْبِيرَةِ الْافْتِتَاحِ

11. Reading Sura Fatiha in the final two units of a four unit prayer
12. Magnification[221] in prayer during it except the first magnification.

Eleventh is **(reading Sura Fatiha in the final two units of a four unit prayer);** this is obligatory in prayers that are four units, and in the last unit of the prayers that are three units, and this is according to the manifest transmissions found in *Al-Muheet.*[222] It states, "Even if he praises in them, and does not recite, he is not sinful," because recitation is the beginning of remembrance and regarding Thana we say, "He intends recitation and Thana is not recitation."

[221] Say Allah is the Greatest/Allahu Akbar.

[222] Of Imam As-Sarkhshi who wrote four works with *Al-Muheet* in them: *Al-Muheet Al-Kabir, Al-Muheet Al-Thani, Al-Muheet Al-Thalith* and *Al-Muheet Ar-Rabiah.*

Twelfth is **(magnification in prayer during it except the first magnification)** when bowing and coming up, and when prostrating and coming up, because he (upon him be blessings) used to say magnifications in these places, thus magnifications are Sunna. **(Except the first magnification)** because we say that it is a condition, as we have explained.

وَإِصَابَةُ لَفْظِ السَّلَامِ ، وَمَا سِوَى ذَلِكَ يَكُونُ آدَابًا لا يَجِبُ فِي تَرْكِهَا شَيْءٌ.

Saying the greeting, and all other things are etiquettes and should not be left.

(Saying the greeting, and), some of them say. The relied upon opinion is that it is necessary, as stated in *Al-Muheet* and by others. He (upon him be peace) said, "Its entrance is magnification and its exit is greeting."[223] The necessary words to say in the greeting are "upon you", and this is Sunna; first to the right (shoulder) then to the left, as well as turning to the right and left. One intends with every greeting what one sees of men, women, angels, and the Imam if he is on the right or the left. If he is in front then one intends for him in both.

(All other things,) which we have explained, **(are etiquettes),** desired, **(and should not be left)** by origin. The ruling of the desired is that if it is done then it is rewarded and if it is left then the person has not sinned. Allah is the only helper.

[223] See previous notes.

فَصْلٌ فِي السَّهْوِ

وَلَوْ تَرَكَ شَيْئًا مِمَّا سَمَّيْنَاهُ شَرْطًا لا يَصِحُّ شُرُوعُهُ فِي الصَّلاةِ سَوَاءً كَانَ عَامِدًا أَوْ نَاسِيًا،

11. Chapter on the forgetful prostration

So, if something is left from what we call a condition then the prayer is invalid, even if left unintentionally or forgetfully.

Commentary on the chapter on the forgetful prostration

(So, if something is left from what we call a condition), like purification or covering nakedness, **(then the prayer is invalid, even if left unintentionally or forgetfully)**. If one begins to pray a supererogatory prayer and one is not in a state of ablution or upon the clothes is filth that prevents prayer, he has not legally begun it and it repeating it is not necessary.[224]

[224] If someone begins a supererogatory action and then breaks it, this necessitates repeating it. This has become necessary because it was begun.

وَ لَوْ تَرَكَ شَيْئًا مِمَّا سَمَّيْنَاهُ رُكْنًا فَإِنْ كَانَ مِمَّا يُمْكِنُ قَضَاءُهُ قَضَاهُ وَإِنْ كَانَ مِمَّا لا يُمْكِنُ قَضَاءُهُ فَسَدَتْ صَلاتُهُ،

If something that we call a pillar is left, then it has to be repeated, and if a repetition is not possible, then the prayer is invalid.

(If something that we call a pillar is left), and it is part of the prayer like recitation, bowing, or prostration, **(then it)** (if left) **(has to be repeated)** in the prayer **(and if a repetition)** if he did not prostrate in the first, second or third unit (then he makes it up); **(is not possible)**, in the following unit or the last unit.[225] If the recitation is left out in the first two units or one of the first units, one has to make it up in the last units. Considering another situation, if in the last two units one recites then one has to perform the forgetful prostration but does not repeat.

(If a repetition is not possible, then) - examples include leaving recitation in the one units of Fajr, Jummah or the first two units of

[225] The forgetful prostration is done in the last unit of the prayer after the Tashahud; it is two prostrations, after which the Tashahud is repeated.

Maghrib, or the third unit of a four unit prayer, or not standing or bowing in a unit of the prayer, or leaving the final sitting in the obligatory prayer, or in Witr performing another unit, or adding another prostration - then **(the prayer is invalid)**. This has been mentioned in *Miftah al-Saadah*.[226]

وَلَوْ تَرَكَ شَيْئًا مِمَّا سَمَّيْنَاهُ وَاجِبًا فَإِنْ كَانَ نَاسِيًا يَجِبُ عَلَيْهِ سَجْدَتَا السَّهْوِ وَإِنْ كَانَ عَامِدًا لا يَجِبُ عَلَيْهِ سَجْدَتَا السَّهْوِ وَلَكِنْ تَكُونُ صَلَاتُهُ عَلَى النُّقْصَانِ وَالْإِسَاءَةِ

If something is left from what we call obligation and done forgetfully, then he has to perform the forgetful prostration, and if it is on purpose then he does not perform the forgetful prostration but the prayer is weak and incomplete.[227]

[226] If any pillar of the prayer is left out then the prayer is invalid and if the necessities are left out then the forget prostration can be done.

[227] It remains weak if the forgetful prostration is not done, but when done it makes up for the error. If it is not done at all then they have to repeat the prayer in its time

(If something is left from what we call obligation and done forgetfully,[228] then he has to perform the forgetful prostration), in the last unit of the prayer. If more than one necessary action is left then there is no more than one forgetful prostration needed. **(And if it is on purpose then he does not perform the forgetful prostration)**. Nothing else can be forced upon them, **(but the prayer)**, as depicted, **(is weak and incomplete)**. It is necessary to repeat it if it is within the time. If it is outside the time, there is no need to repeat it.[229]

according to a reliable position, and according to the scholars of the Indo-Pak subcontinent, they have to repeat regardless of time.

[228] There are five things that make a forgetful prostration necessary, namely leaving a necessary action, repeating it, delaying it, doing a necessary action before its place, and changing a necessary action.

[229] As mentioned previously, the Indo-Pak school say even outside the time repetition has to be performed.

وَلَوْ تَرَكَ شَيْئًا مِمَّا سَمَّيْنَاهُ سُنَّةً سَوَاءٌ كَانَ سَاهِيًا أَوْ عَامِدًا لَا يَجِبُ عَلَيْهِ سَجْدَتَا السَّهْوِ.

If something we call Sunna is left, there is no forgetful prostration, if done forgetfully or unintentionally.

(If something we call Sunna is left, there is no forgetful prostration, if done forgetfully or unintentionally) because one deserves to be forced to perform two prostrations only for that which is necessary.

The prayer does not break if a Sunna is left, without disagreement among the scholars, except if he left the Sunna on purpose, in which case the person has erred and it is erroneous without dislike, as we have revealed. Manall Khosru[230] confirms that if you leave a confirmed Sunna then it is deserving of punishment.[231] O Allah pardon us.

[230] Muhammad Ibn Farmuz Ibn Ali, known as Manall Khosuru, died 882 A.H.

[231] Not the desired Sunnas as there is no punishment for leaving them. Most of the Ahl As-Sunna say it refers to the emphasised Sunna for which there is reproach from

فَصْلٌ فِي الْوُضُوءِ

ثُمَّ اعْلَمْ بِأَنَّ لِلْوُضُوءِ فَرَائِضَ وَسُنَنًا وَنَوَافِلَ وَ مُسْتَحَبَّاتٍ وَآدَابًا وَكَرَاهِيَةً وَمَنْهِيَّاتٍ.

12. Chapter on ablution

Know that ablution has (acts of) obligation, Sunna, supererogatory, desired, etiquette, disliked and prohibitions.

Commentary on the chapter on the obligations of ablution

(Know), O seeker of ablution, **(that ablution has obligations)** without which it is invalid. As for acts of **(Sunna),** ablution is valid without them but there is offence. **(Supererogatory)** acts are rewarded if done and one is not sinful if they are left. **(Desired)** acts and those of **(etiquette)** mean the same thing; they draw the person closer. **(Disliked)** actions are conclusively proven without objection in which there is offence; deserving of reprimand if done, and if avoided rewarded. If he says they

the Prophet (may Allah bestow peace and blessings upon him) on the Day of Judgement if left out.

are halal[232] to do then it is not disbelief.[233] **(Prohibitions)** are firmly established without objection. The ruling is that they are rewarded if left for Allah (the Exalted), reprimanded if done, and if claimed to be halal then it is disbelief, by agreement.

أَمَّا فَرَائِضُهُ فَأَرْبَعَةٌ : غَسْلُ الْوَجْهِ . وَالْوَجْهُ مَا يُوَاجِهُ بِهِ الإِنْسَانُ وَهُوَ مِنْ قُصَاصِ الشَّعْرِ إِلَى أَسْفَلِ الذَّقَنِ طُولاً وَمِنْ شَحْمَةِ الأُذُنِ إِلَى شَحْمَةِ الأُذُنِ عَرْضًا وَالْعِذَارَانِ يَدْخُلانِ فِي الْغَسْلِ عِنْدَ أَبِي حَنِيفَةَ وَمُحَمَّدٍ رَحِمَهُمَا اللهُ ، وَعِنْدَ أَبِي يُوسُفَ وَالشَّافِعِيِّ لا يَدْخُلانِ فِي الْغَسْلِ

The obligations are four:

1. Washing the face: the face is what a person will see when they look towards you, beginning from the hairline to below the chin and from earlobe to earlobe. The skin between the ear and beard is to be washed according to Abu Hanifa and Imam

[232] Halal is an extremely difficult word to translate because it depends on the context. Halal can mean food that is free from alcohol/wine, pork or any meat that is slaughtered without the Islamic conditions being met. Here it means 'permissible'.

[233] In the issue of the disliked.

Muhammad (may Allah show them mercy), but not with Abu Yusuf and Imam Shafi.

(The obligations), which if one is left the whole action is invalid, **(are four)** by the consensus of the Muslims.

First is **(washing the face)** with flowing water or a stream which drips until one can wipe the head with water. Making ablution with ice or frost is permissible but if nothing flows then it is not permissible. **(The face is what a person will see when you look towards you).**

(Beginning from the hairline), which begins from the top of the forehead, **(to below the chin)**. The chin of a man comprises his beard and the roots of the beard.[234] **(And from earlobe)**, meaning one earlobe, **(to)** the other **(earlobe)**. It is necessary to wash the roots of the hair, but the roots of the hair do not need to be washed if they are below the chin according to the scholars, thin hair or thick. If it is below what is

[234] The beard is hair that is on the jaw line. He does not wipe the beard that is below the face.

considered as the face then this it is not the face.[235] Likewise, it is not necessary for the water to reach the moustache or eyebrow roots, as stated in *Al-Bidiaya*[236]. The meaning of thick is that you cannot see the skin; if you can see the skin then it is necessary for water to reach the skin, as stated in *Al-Fath.*[237]

(The skin between the ear and beard) on both sides **(is to be washed according to Abu Hanifa and Imam Muhammad (may Allah show them mercy)).** The ruling transfers to what is between them; one washes them because the skin is covered by an obstacle (the hair) and it takes its place. It is not seen by someone looking at the person so the obligation drops and changes because of the obstacle, like the skin of the head. *Al-Darr*[238] states, "It is even necessary to wash it like the eyebrows and moustache." As the ruling moves to what is under them, even then it is

[235] It is sufficient to wash the top of the hair and not the roots. If the beard is thin and one can see the skin, then one has to make the water reach the skin, but not if it is thick.

[236] *Al-Bidiaya As-Saniai'*, one of the most important books in the Hanafi School, written by Al-Kasani.

[237] *Al-Fath Al-Qadir*, by Kamal Ibn Al-Hamam.

[238] *Al-Darr Al-Bahr,* by Muhammad Ibn Yusuf Al-Qunawi, who passed away in 788 A.H.

necessary to wash them and not necessary that water reach under them (under the roots of the hair there). **(But not with Abu Yusuf and Imam Shafi),** (may Allah show them mercy), as the place between the hair and ears is "not washed" in a narration. In the sounder of the narrations from him[239] it is necessary to wash them. Justifying this he stated, "As this place is covered by roots of the hair and they take their place." The whiteness between the cheeks and the ears has to be washed because it enters into the definition. It is necessary to wash them according to the manifest transmissions of three companions. There is a narration from Abu Yusuf that it is not necessary.

[239] Not stated.

وَغَسْلُ الْيَدَيْنِ إِلَى الْمِرْفَقَيْنِ

2. Washing the hands up to the elbows

The second obligation is **(washing the hands)** from the tips of the fingers **(up to the elbows)**. The elbows should also be washed.[240] If the hand or leg is cut off and nothing remains of them then the necessity falls, but if something of them remains then it should be washed.

If the nails are longer than the tips of the finger then it is necessary to wash them, without disagreement. It is necessary to wash what is extra, like an extra finger or an extra palm, and it is also necessary for water to enter the places in between the fingers, unless there is webbed skin.

[240] Imam Zufar does not consider the elbows part of the arm and states that it does not need to be washed, but this is not the reliable opinion.

وَمَسْحُ رُبْعِ الرَّأْسِ

3. Wiping the head

The third obligation is **(wiping the head)**, meaning wiping a fourth of the head. In the sounder of two narrations of Abu Hanifa it was said that it needs to be the extent of three fingers.[241] In *Ghayat Al-Bayan* it states,[242] "This is the famous opinion." In *Maraij Ad-Duriyyah*[243] it states, "This is well-known of the school and it has been chosen by the later scholars from our colleagues."

[241] This is the chosen opinion that it needs to be the extent of three fingers, starting with the smallest finger first according to the Fatwa Tatakhaniyyah. The famous opinion is that it is the area of four fingers. The head is what lies beneath a hat.

[242] By Amir Katib Ibn Amir Umar Al-Itiqni's commentary of *Al-Hidayyah*. He passed away in 685 A.H.

[243] By Qawwam Ud-Din Muhammad Ibn Muhammad Ibn Ahmed Al-Bukhari Al-Kaki, who passed away in 749 A.H.

In *Az-Zahiriyah*[244] it states, "A legal edict has been given on it." Wiping is the touching of a wet hand onto a limb, even with the remaining wetness after washing a limb. If it is wiped with wetness remaining after wiping another limb then it is not permissible.

وَغَسْلُ الرِّجْلَيْنِ إِلَى الْكَعْبَيْنِ بِدَلِيلِ قَوْلِهِ تَعَالَى :"يَأَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَامْسَحُوا بِرُؤُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ" فَاللهُ سُبْحَانَهُ وَتَعَالَى أَمَرَنَا بِغَسْلِ الْأَعْضَاءِ الثَّلَاثَةِ وَمَسْحِ الرَّأْسِ وَالْأَمْرُ مِنَ اللهِ تَعَالَى يَدُلُّ عَلَى الْوُجُوبِ. وَالْمِرْفَقَانِ وَالْكَعْبَانِ يَدْخُلَانِ فِي الْغَسْلِ عِنْدَ عُلَمَائِنَا الثَّلَاثَةِ وَعِنْدَ زُفَرَ لا يَدْخُلَانِ فِي الْغَسْلِ

4. Washing the feet up to the ankles, and the proof from the Quran, "O you who believe! When you rise up for prayer, wash your faces, and your hands up to the elbows, and wipe your heads and wash your feet up to the ankles."[245] Allah (Mighty and Majestic) has ordered us to wash three limbs, wipe the head, and an order from Allah the Exalted indicates to it obligation. The elbows and the feet have to be washed according to our (three) scholars except Zufar.

[244] *Al-Fatawa Az-Zahiriyah* by Muhammad Ibn Ahmed Ibn Umar Zahir Ud-Din Al-Bukhari Al-Qadi, who passed away in 619 A.H.

[245] Quran, the Table Spread, 5:6.

The fourth obligation is **(washing the feet up to the ankles),** including the ankles. The protruding bones on both sides of the feet are what is meant by the ankles. There are four obligations of ablution according to **(the proof from the Quran, "O you who believe! When you rise up for prayer, wash your faces, and your hands up to the elbows, and wipe your heads and wash your feet up to the ankles."[246] Allah (Mighty and Majestic) has ordered us to wash three limbs, wipe the head and an order from Allah (the Exalted) indicates to it obligation);** this is an eternal obligation.

(The elbows), from the hands up to the elbows, **(and the feet),** as we have explained, **(have to be washed according to our (three)[247] scholars)** (may Allah show them mercy), **(except Zufar).** He said that it

[246] Quran, the Table Spread, 5.6.

[247] Abu Hanifa, Imam Muhammad and Abu Yusuf.

does not mean to its limits, like the night in fasting. We say, "Yes, the ankles and the elbows are outside the area but cannot be left."

The people have agreed upon its obligation, as Imam Shafi says in *Al-Umm*,[248] and as stated in *Fath Al-Bari*,[249] "Zufar rejected consensus before him." Allah is the only helper.

[248] The book written by Imam As-Shaf'i on Fiqh.

[249] Commentary on Al-Bukhari's hadith collection written by Ibn Hajar Al-Asqalani.

فَصْلٌ فِي سُنَنِ الْوُضُوءِ
وَأَمَّا سُنَنُ الْوُضُوءِ فَعَشَرَةٌ : تَسْمِيَةُ اللهِ تَعَالَى فِي ابْتِدَاءِ الْوُضُوءِ

13. Chapter on the Sunnas of ablution

The Sunnas of ablution are ten:

1. Saying Bismillah in the beginning of the ablution

Commentary on the chapter on the Sunnas of ablution

(The Sunnas of ablution), which are rewarded if done and one has sinned if they are left, **(are ten)**.

First is **(Saying Bismillah in the beginning of the ablution)**. The Prophet (may Allah bestow peace and blessings upon him) said, "Whoever remembers the name of Allah, the Exalted, when performing ablution purifies his whole body. Whoever does not remember the name of Allah (the Exalted) has cleaned the limbs washed by ablution."[250]

[250] Al-Bayhaqi, from Ibn Umar (may Allah be pleased with him), 200; Ad-Daraqutni 12, 13.

Whilst washing the hands one should say Bismillah. It is sufficient to say, "In the name of the greatest; all praise belongs to Allah for the religion of Islam." The purpose is to simply mention the name of Allah (the Exalted) and there are no specific words to say. He can even say, 'There is no deity but Allah' or 'subhanullah,' and the Sunna will be established.

وَغَسْلُ الْيَدَيْنِ قَبْلَ إِدْخَالِهِمَا فِي الْإِنَاءِ وَالْاسْتِنْجَاءُ بِالْمَاءِ عِنْدَ وُجُودِ الْمَاءِ

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2. Washing the hands before putting a hand into a container

The second of the Sunnas is **(washing the hands)** three times **(before putting a hand into a container)**, because a container is pure and so one should begin by washing them (the hands) as there may be filth present on them. We say, "It is disliked to enter a hand into a container before washing it, as it is disliked to make ablution with water that a child has put his hand into." The wrist joint is that which is between the

forearm and the palm, and washing this place is mentioned as a Sunna for every person making ablution; if he has just woken from being asleep.

وَالْاسْتِنْجَاءُ بِالْحَجَرِ أَوْ بِالْمَدَرِ عِنْدَ عَدَمِ الْمَاءِ

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3. Istinja with water, when it is available, or stone or clay if unavailable.

The third Sunna is **(Istinja with water, when it is available).** In our time, it is said that this Sunna is an absolute. This is relied upon and there is legal edict for it. As reported in *Al-Siraj Al-Wahaj*,[251] the washing depends on the opinion of the washer; he washes until he is sure in his heart that he is clean, and this opinion is relied upon. **(Or stone or clay)** or what resembles it **(if unavailable),** meaning water. This is Sunna

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[251] A commentary on *Mukhatsar Al-Quduri*, as previously mentioned.

because he (peace be upon him) said, "If one of you goes to his need, so let him seek three stones."[252]

Performing Istinja with stones or clay without the presence of water is Sunna, and using three is desired. Using a combination of stones and water is desired.

وَالسِّوَاكُ وَالْمَضْمَضَةُ

4. Siwak [Miswak]
5. Rinsing the mouth

The fourth Sunna is **(Siwak [Miswak])**, which was something that the Prophet (may Allah bestow upon him peace and blessings) did constantly with each ablution. It is authenticated by Az-Zaylai as desired. It should be used during the time of rinsing out the mouth, as described in *Al-Inayah.*[253] Miswak is used for the upper and lower teeth, and is also

[252] Authentic according to Ad-Daraqutni in the book of purification from the mother of the believers Aisha.

[253] Previously mentioned.

to be used sideways but not downwards.[254] If one does not have a Miswak then one can use one's fingers or a firm cloth in its place. It is desired for yellow teeth in order to freshen the breath, when waking up from sleep, when preparing for prayer, when one is the first person to enter the house, when in a gathering of people, and when about to recite the Quran.

The fifth of the Sunnas is **(rinsing the mouth)**. This is absolute and water must reach the entire area of the mouth.[255]

وَالْاسْتِنْشَاقُ

6. Cleaning the nose

[254] In *Fath Baab Al-Inayah* it says that the Miswak is used upwards and downwards and in *Al-Ghrr wa Ad-Darr* it states one can do it how one wishes.

[255] The famous position is that water should reach to the throat, but the reliable position is that it should reach where food is normally chewed, or where water is kept in the mouth.

The sixth Sunna is **(Cleaning the nose)**, which is to draw water into the nose, namely the soft part of the nose. To exaggerate is Sunna when rinsing by snorting, cleaning the nose out, and blowing out the water. It should be rinsed out three times and new water should be used every time. This is how the Prophet (peace and blessing be upon him) did it.[256]

وَمَسْحُ الْأُذُنَيْنِ وَتَخْلِيلُ اللِّحْيَةِ وَتَخْلِيلُ الْأَصَابِعِ

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7. Wiping the ears
8. Takheel of the beard
9. Takheel of the fingers

Seventh is **(wiping the ears)** with the water that is used for the head. He (peace and blessings be upon him) said, "The ears are part of the head,"[257] meaning both should be wiped when wiping the head. It is not

[256] The obligatory place where water should reach is the soft part of the noise, not the bony part. Although some schools insist that it should reach the bone, it is not the reliable position.

[257] At-Tirmidhi, 37, from Abu Amama; Tabarani in Al-Kabir, 7554.

narrated that he (may Allah bestow peace and blessings upon him) used new water. It is necessary to pass water between them at the same time before it has evaporated. If one uses new water without it evaporating this is better according to *Sharh Al-Maskeen*.[258] Wiping the neck is etiquette according to the sound opinion.

The eighth Sunna is **(Takheel of the beard)**. This is what he (upon him peace) used to do. When performing ablution he would take water, put it under his jaw and move it through the beard. He said, "I was ordered to do this, by my Lord."[259] This is Sunna without prohibition and it was said that it is desired.

The ninth Sunna is **(Takheel of the fingers)** because he (upon him be peace) used to wipe them by moving them between each other. It is done by putting the fingers of the left hand inside the fingers of the right hand and onto the exterior of the right hand, then putting the left hand on top of the right and moving it.

[258] Known as Fath Al-Qadir of Kamal Ibn Al-Humam.

[259] Abu Dawood, 145; At-Tabarani, 2976, from Anas.

وَغَسْلُ الْأَعْضَاءِ الْمَفْرُوضَةِ فِي الْمَرَّةِ الثَّانِيَةِ.

10. Washing the parts of the body for a second time.

As for the feet, wiping the right toes with the little finger of the left hand and then moving the little finger of the right hand through to the left foot, as was narrated to us. The Sunna is to use enough water so that it flows from the place of the water entry.

The tenth Sunna is **(washing the parts of the body for a second time)**, and it is reported to do it a third time, and this is relied upon. The first is obligatory and the second is Sunna according to the school. The Maraij Ad-Duriyyah[260] states, "Even if he washes them once due to a lack

[260] By Qawwam Ud-Din Muhammad Ibn Muhammad Ibn Ahmed Al-Bukhari Al-Kaki, who passed away in 749 A.H.

of water, cold or need, it is not disliked and he has not sinned except if he is able to then he has sinned."[261] Allah is the only helper.

[261] For example, if he only has enough time to perform the obligations of ablution and the pillars of the prayer before the time runs out. In such a case then it is not disliked.

فَصْلٌ فِي نَوَافِلِ الْوُضُوءِ

وَأَمَّا نَوَافِلُ الْوُضُوءِ فَسِتَّةٌ: مَسْحُ الْيَدِ عَلَى الْحَائِطِ أَوْ عَلَى الْأَرْضِ بَعْدَ الاسْتِنْجَاءِ وَغَسْلُ الْيَدَيْنِ بَعْدَ الْمَسْحِ عَلَى الْحَائِطِ أَوْ عَلَى الْأَرْضِ وَذِكْرُ الدُّعَاءِ عِنْدَ غَسْلِ كُلِّ عُضْوٍ

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14. Chapter on the supererogatory (nawafil) acts of ablution

The supererogatory actions of ablution are six:

1. Wiping the hands on a wall or earth after Istinja
2. Washing the hands after wiping them on the wall or earth
3. Mentioning a supplication when washing each limb

Commentary on the chapter on the supererogatory (nawafil) acts of ablution

(The supererogatory actions of the ablution), which are rewarded if done and there is no sin if they are left, **(are six).**

First is **(wiping the hands on a wall or earth after Istinja)**, in order to remove the smell of the filth.

The second is **(washing the hands after wiping them on the wall or earth)** so that the filth and the disliked smell go.

The third is **(mentioning a supplication)** mentioned, **(when washing each limb)**, upon the limbs of ablution, as explained.[262]

وَمَسْحُ الرَّقَبَةِ وَرَشُّ الْمَاءِ عَلَى الْفَرْجِ وَالسَّرَاوِيلِ بَعْدَ الْفَرَاغِ مِنَ الْوُضُوءِ. غَسْلُ الأَعْضَاءِ الْمَفْرُوضَةِ فِي الْمَرَّةِ الثَّالِثَةِ

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4. Wiping the back of the neck
5. Splashing water on the private place or underwear after completing ablution
6. Washing each limb three times

Fourth is **(wiping the back of the neck)** with new water or with water already on the fingers after washing the head and the ears. Abu

[262] The four limbs mentioned.

Ja'far[263] said, "Wiping the back of the neck is Sunna and wiping the throat is innovation, by consensus."

Fifth is, **(splashing water on the private place and underwear after completing ablution)**. This is for whoever is cold or (is inflicted by) whispering after Istinja with water, meaning one who is in doubt about whether wetness has reached there recently which he is not sure of. Cold water in the winter is superior to ensure removal.

Sixth is **(washing each limb three times)**. It is relied upon that this is Sunna, as is the third time, as we have previously explained. Allah is the Giver of Success.

[263] Referred to in the text as Imam Tahawi.

فَصْلٌ فِي مُسْتَحَبَّاتِ الْوُضُوءِ

وَأَمَّا مُسْتَحَبُ الْوُضُوءِ فَسِتَّةٌ : النِّيَّةُ فِي ابْتِدَاءِ الْوُضُوءِ وَالْبُدَاءَةُ بِمَا بَدَأَ اللهُ بِذِكْرِهِ

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15. Chapter on the desired (mustahab[264]) acts of ablution

The desired acts of ablution are six:

1. Intention when beginning ablution
2. Beginning by mentioning Allah

Commentary on the chapter on the desired (mustahab) acts of ablution

(The desired acts of ablution) are rewarded if done and if left then one has not sinned. They **(are six)**.

First is **(intention when beginning ablution)**. The intention should be to remove filth and establish prayer, as stated in *Al-Kafi*.[265] The

[264] Some of the scholars used to differentiate between nafl and mustahab acts, but the most reliable opinion is that there is no difference.

[265] Al-Kafi, by Imam Hakim ash-Shahid, who passed away in 334 A.H.

exemplar order is found in *Al-Darr*,[266] perform when the face is washed, its place is in the heart, its words are desired and it is Sunna; a fact that is relied upon.

Second is **(beginning by mentioning Allah)**, the Exalted. In the passages of ablution it begins with the washing of the face, the hands, (wiping) the head and then washing the feet. If one begins with the feet then he is sinful but it is valid because that is Sunna.[267]

وَبِنَامِينِهِ وَمُرَاعَاةُ التَّرْتِيبِ وَمُرَاعَاةُ الْمُوَالَاةِ اتِّقَاءً عَنِ الْجَفَافِ

3. Beginning with the right side
4. Maintaining order
5. Following one limb after the other before they dry

[266] Not known at this time.

[267] The order is obligatory in the Hanafi School; this is Sunna and the ablution is valid if the order is left.

Third is **(beginning with the right side)**. This means to begin washing the right side before the left when washing the hands and the legs, as he (upon him be blessings) said, "If you make ablution, begin with your right side."[268] It is not Sunna if they do it habitually, and this fulfils the desired.

Fourth is **(maintaining order)**. One should begin with the face, then the hands, and then the remainder of the limbs.

Fifth is **(following one limb after the other)** in order of washing **(before they dry)**. In a place of moderate wind and when one has a warm body,[269] or due to extreme heat and wind, water will dry quickly and such conditions should be considered when one is making ablution. If one is feverish the water may dry quickly because of one's temperature. The soundest opinion is that following up one limb after another is Sunna, as recorded in *Al-Katr*[270] and others.

[268] Abu Dawood, 4141; Ibn Majah, 402; Imam Ahmed, 8637.

[269] When he is extremely warm, water will evaporate quickly.

[270] Not found at this time.

وَاسْتِيعَابُ جَمِيعِ الرَّأْسِ بِالْمَسْحِ.

6. Wiping the entire head.

Sixth is **(wiping the entire head).** At-Tirmidhi narrates in his collection that Ali (may Allah be pleased with him) performed ablution by washing the limbs three times and wiping the head once. Then he said, "This is the ablution of the Messenger of Allah (peace and blessings of Allah be upon him)."[271] This is authentic and fulfils the Sunna, and Allah is the only helper.

[271] Not found in At-Tirmidhi but found in Abdurrazak, 120

فَصْلٌ فِي آدَابِ الْوُضُوءِ

وَأَمَّا آدَابُ الْوُضُوءِ فَسِتَّةٌ : تَرْكُ اسْتِقْبَالِ الْقِبْلَةِ وَاسْتِدْبَارِهَا وَتَرْكُ اسْتِقْبَالُ عَيْنِ الشَّمْسِ وَالْقَمَرِ وَاسْتِدْبَارِهِمَا

16. Chapter on the etiquette (adab)[272] of ablution

The etiquettes of ablution are six:

1. Do not face the Qibla or have your back to it
2. Do not face the sun or moon or have your back to them

Commentary on the chapter on the etiquette/adab of ablution

(The etiquettes of ablution are six). Etiquettes have a lower rank than the desired.

First is **(do not face the Qibla or have your back to it)**. This is taken from the hadith, "When removing faeces, do not face the Qibla or have your back to it but have your face to the East or the West."[273] There

[272] There is not a great difference between mustahab and adab, but adab has a lesser degree than mustahab.

[273] Agreed upon, from Abu Ayyub Al-Ansari; Muslim, 264; Bukhari, 386.

is no difference between buildings and open spaces according to the reliable opinion.

Second is **(do not face the sun or moon or have your back to them),** because these are signs of Allah's brilliance.

وَتَرْكُ الْكَلَامِ سِوَى الْأَدْعِيَةِ الَّتِي يُدْعَى بِهَا عِنْدَ غَسْلِ كُلِّ عُضْوٍ
وَالْمَضْمَضَةَ وَالْاسْتِنْشَاقُ بِيَدِهِ الْيُمْنَى وَ الْامْتِخَاطُ بِالْيَدِ الْيُسْرَى

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3. Do not speak except for the supplication which you are saying when washing that limb
4. Putting water into the mouth and nose with the right hand
5. Blowing water from the nose with the left hand

Third is **(do not speak)** about worldly matters, **(except for the supplication which you are saying when washing that limb).** This is so as to purify the action of ablution from the misgivings of the world. However, if one calls in need of someone then there is no harm in that.

Fourth is **(putting water into the mouth and nose with the right hand),** because this is an action that draws one closer and these are begun with the right hand.

Fifth is **(blowing water from the nose with the left hand)** in order to remove filth, as that is its function. Aisha (may Allah be pleased with her) said, "The right hand of the Messenger of Allah (upon him peace and blessings) was used for purification and food, and the left used in the privy."[274]

وَسِتْرُ الْعَوْرَةِ بَعْدَ الاسْتِنْجَاءِ .

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6. Covering nakedness after Istinja.

Six, **(covering nakedness after Istinja);** after finishing the Istinja and drying oneself because the necessity for uncovering has gone; the necessity is for uncover which has gone; the necessity is equated to its facility. Uncovering the nakedness without excuse is not desired because

[274] Abu Dawood, 3; Al-Bayhaqi, in Al-Kubra, 547. Privy means toilet.

he said (upon him peace), "Allah is more deserving of your shyness,"[275] because uncovering is leaving etiquette and covering oneself is etiquette. O Allah, give success to us in all righteous actions.

[275] At-Tirmidhi, Abu Dawud, and others.

فَصْلٌ فِي مَكْرُوهَاتِ الْوُضُوءِ

وَأَمَّا كَرَاهِيَةُ الْوُضُوءِ فَسِتَّةٌ : تَعْنِيفُ ضَرْبِ الْمَاءِ عَلَى الْوَجْهِ وَالنَّظَرُ إِلَى الْعَوْرَةِ وَإِلْقَاءُ الْبُزَاقِ وَالْمُخَاطِ فِي الْمَاءِ

17. Chapter on the disliked actions of ablution

The disliked actions are six:

1. Striking your face with water
2. Looking at your private place
3. Releasing spit or snot into the water

Commentary on the chapter on the disliked actions of ablution

(The disliked actions) are what there is grievous prohibition for, and legally they **(are six).**

First is **(striking your face with water),** because the Sunna is for the water to reach the top of the forehead and striking does not achieve this.

Second is **(looking at your private place)**, because this abandons etiquette.

Third is **(releasing spit or snot into the water)**, because this contributes to the impurity and lessens the benefit from it. Perhaps this could be the cause of being sworn at or cursed!

وَالْمَضْمَضَةُ وَالاسْتِنْشَاقُ بِالْيَدِ الْيُمْنَى مِنْ غَيْرِ عُذْرٍ وَالْكَلَامُ عِنْدَ الاسْتِنْجَاءِ.

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4. Rinsing the mouth
5. Cleaning the nose with the right hand without excuse
6. Speaking when washing private places.

Fourth and fifth are **(rinsing out the mouth)** and **(cleaning the nose with the right hand without excuse)**, because this is against the Sunna as it is Sunna to begin with the right hand.

Sixth is **(speaking when washing private places)**. This necessitates resentment and strong anger, as mentioned in a hadith.[276] O Allah reward us.

[276] Not found currently.

فَصْلٌ فِي مَنْهِيَّاتِ الْوُضُوءِ

وَأَمَّا مَنْهِيَّاتُ الْوُضُوءِ فَسِتَّةٌ : كَشْفُ الْعَوْرَةِ بَعْدَ الاسْتِنْجَاءِ وَإِلْقَاءُ الْبَوْلِ وَالْغَائِطِ فِي الْمَاءِ

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18. Chapter on the prohibitions of ablution

The prohibitions of the ablution are six:

1. Uncovering nakedness after Istinja
2. Urinating or defecting in water for cleaning

Commentary on the chapter on the prohibitions of ablution

(The prohibitions of the ablution), means the objections that are decisively proved prohibitions in which there is no rejection. The prohibitions **(are six).**

First is **(uncovering nakedness after Istinja)** because this is leaving etiquette with Allah (the Exalted). The Prophet (may Allah bestow upon him peace and blessings) said, "Allah is more worthy of your shyness."[277]

Second is **(urinating or defecating in water for cleaning)** because if it is a small amount it makes it filthy and if it is a larger amount it makes

[277] At-Tirmidhi, Abu Dawud, and others.

the water impure. He (upon him be peace and blessings) said, "Do not relive yourselves in stagnate water."[278] Depositing something like urine is prohibited. *Al-Sirrajiyyah*[279] states, "Putting urine in running water is disliked."

وَالاسْتِنْجَاءُ بِيَدِهِ الْيُمْنَى إِلاَّ مِنْ عُذْرٍ وَإِسْرَافُ الْمَاءِ فِي الْوُضُوءِ وَالْغُسْلِ

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3. Doing Istinja with the right hand without excuse
4. Wasting water in ablution and ritual bath

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[278] Agreed upon from Abu Hurayrah (may Allah be pleased with him); Muslim, 282; Bukhari, 236.

[279] Fatawa Qaria Al-Hidayyah of Umar Ibn Ali Al-Kanani Siraj Ud-Din, who passed away in 829 A.H.; Shadharah, 7/190.

[279] Fatawa Qaria Al-Hidayyah of Umar Ibn Ali Al-Kanani Siraj Ud-Din, who passed away in 829 A.H.; Shadharah, 7/190.

Third is **(doing Istinja with the right hand without excuse).** He (upon him be peace and blessings) said, "If one of you passes water then do not touch the male part with the right hand. When you go to the toilet do not wipe with your right hand and when you drink do not drink with one breath."[280] This, if not done, stops Istinja; and if it is done with excuse then it is permissible without dislike.

Fourth is **(wasting water in ablution and ritual bath).** It is related that the Messenger of Allah (may Allah bestow upon him peace and blessings) was asked, "Is there waste in ablution?" He said, "Yes, even on a river side."[281] Meaning on either side of a river. It is also narrated that the Prophet (may Allah bestow upon him peace and blessings) said, "The ablution is weighted on a scale; if there is no miserliness then it is raised, sealed then placed underneath the throne until the Day of Judgement; and if there was waste then it is not raised."[282]

[280] Bukhari, from Abu Qatada, 152-153.

[281] Imam Ahmed, from Abdullah Ibn Umar, 7065.

[282] Not found.

وَغَسْلُ الْأَعْضَاءِ الْمَفْرُوضَةِ أَكْثَرَ مِنْ ثَلَاثِ مَرَّاتٍ أَوْ أَقَلَّ وَالْمَسْحُ عَلَى الرِّجْلَيْنِ عُرْيَانًا مَكْرُوهٌ كَرَاهِيَةَ التَّحْرِيمِ حَتَّى لَوْ مَسَحَ عَلَيْهَا عُرْيَانًا لَمْ تَجُزْ صَلَاتُهُ بِذَلِكَ الْوُضُوءِ.

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5. Washing the mentioned limbs more than three times or less than three times.

6. Wiping the uncovered feet is prohibited. It is highly prohibited to wipe the feet, and the prayer is not valid with this ablution.[283]

Fifth is **(washing the mentioned limbs more than three times or less than three times).** He (upon him be peace) made ablution once and said, "This is ablution and is what Allah does not except any prayer without it." Then he made ablution again and said, "This is the ablution of the guests of Allah who desire two rewards from him." Then he made ablution a third time and said, "This is the ablution of the prophets before

[283] To wipe instead of washing, as the Shia wipe their feet and do not wash them. This means that their ablution is not valid and neither are their prayers.

me. Whoever does more than that or less has offended and oppressed." In another narration, "transgressed and oppressed."[284]

Sixth is **(wiping the uncovered feet)** which **(is prohibited)**. The Shia believe this is correct and they do not wash their feet. It is enough for them to wipe the outside of the foot. They read it with a jarr and this is false because jarr in the following passage is in conjunction with the washed and this indicates to its washing not wiping. This is the evidence of the consensus. **(It is highly prohibited to wipe the feet, and the prayer is not valid with this ablution).**[285] Allah is the one who gives success.

[284] Al-Bayhaqi, in As-Sughra 112, from Anis; Ibn Majah, from Ibn Umar, 419; At-Tabarani, in Al-Awsat 3661.

[285] The prayer is not valid with feet that are wiped or with wiping on thin socks.

فصلٌ فِي أَقْسَامِ الاسْتِنْجَاءِ

ثُمَّ اعْلَمْ بِأَنَّ الاسْتِنْجَاءَ عَلَى تِسْعَةِ أَوْجُهٍ، أَرْبَعَةٌ مِنْهَا فَرِيضَةٌ، وَوَاحِدَةٌ مِنْهَا وَاجِبَةٌ، وَوَاحِدَةٌ مِنْهَا سُنَّةٌ، وَوَاحِدَةٌ مِنْهَا مُسْتَحَبَّةٌ، وَوَاحِدَةٌ مِنْهَا احْتِيَاطٌ، وَوَاحِدَةٌ مِنْهَا بِدْعَةٌ. فَأَمَّا الأَرْبَعَةُ الَّتِي هِيَ فَرِيضَةٌ فَهِيَ: الاسْتِنْجَاءُ مِنَ الْجَنَابَةِ

19. Chapter on the kinds of Istinja

Know that Istinja is of nine kinds: four are obligatory, one is necessary, one is Sunna, one is desired, one is precautionary and one is innovation.

The four that are obligatory are:

1. Istinja after relations with one's partner

Commentary on the chapter on the kinds of Istinja

(Know), O dear student, **(that Istinja)** involves wiping the exit place of faeces after the same has come out from the inside, as well as to wash it. It is permissible to seek to remove the faeces. Al-Bahr states, "It is

known by its description that Istinja is not possible except by the Sunna." This is described in books about Istinja.

It **(is of nine kinds: four are obligatory)**, and the others we know from the description of Istinja. **(One is necessary, one is Sunna, one is desired, one is precautionary and one is innovation).** In the transcripts of bathing, **(The four that are obligatory are: Istinja after relations with one's partner)**.

وَالْحَيْضِ وَالنِّفَاسِ وَإِذَا كَانَتْ النَّجَاسَةُ أَكْثَرَ مِنْ قَدْرِ الدِّرْهَمِ، فَيفْرَضُ إزَالَتُهَا. وَأَمَّا الوَاجِبَةُ : إذَا كَانَتْ النَجَاسَة مِقدَارَ الدِّرهَمِ فَالإستِنجَاء يكُون وَاجِبًا

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2. Periods
3. Postpartum bleeding
4. If filth of more than the amount of a two-pound coin[286] is on you, then it is necessary to remove it.

[286] Or the common explanation is the amount of water left in a normal hand if the water is gathered on the palm.

Obligatory: When filth is the amount of a two-pound coin, to remove it is necessary.

The second washing is from **(periods)** when the period has finished and she wants to pray. Third is washing after **(postpartum bleeding)** when she wants to pray. These first three are from the sections of removing minor impurity and not from the sections of Istinja.

Fourth is **(if filth)** is on the clothes or on the body or both **(more than the amount of a two pound coin).** This is the amount that prevents prayer and so **(it is necessary to remove it).** This is from the section of removing major impurity from the body, not from the section of Istinja.

Fifth is the **(obligatory: When filth is the amount of a two-pound coin, to remove it is necessary)**. Heavy filth is what weighs twenty Qarata in density and is the amount of the curved part of the palm in thickness.

Performing Istinja and removing it is necessary. The prayer is valid if it is less because a small amount of filth is pardoned, so as to prevent hardship. It must be less than the amount of a two-pound coin. The pardon validates the prayer but with objection.

وَأَمَّا السُّنَّةُ: إِذَا كَانَتْ النَّجَاسَةُ أَقَلَّ مِنْ قَدْرِ الدِّرْهَمِ فَالْاسْتِنْجَاءُ يَكُونُ سُنَّةً. وَأَمَّا الْمُسْتَحَبُّ : إِذَا بَالَ وَلَمْ يَتَغَوَّطْ فَإِنَّهُ يَغْسِلُ قُبُلَهُ دُونَ دُبُرِهِ . وَأَمَّا الْاحْتِيَاطُ: إِذَا خَرَجَ مِنْ بَدَنِهِ شَيْءٌ وَلَمْ يَتَلَطَّخْ فَإِنَّهُ يَغْسِلُ ذَلِكَ الْمَوْضِعَ.

Sunna: If the filth is less than the amount of a two-pound coin, then it is Sunna to remove it.

Desired: If one has urinated, not defecated, then to wash the penis, not the anal passage.

Precautionary: If something came out of the body and did not spread, then you only have to clean that place.

Sixth is the **(Sunna: If the filth is less than the amount of a two pound coin,)** removal **(then it is Sunna to remove it)**, as described in *Al-Siraj* and others. If one prayers with it then it is permissible but with dislike.

Seventh is the **(desired: If one has urinated, not defecated, then to wash the penis)**, where the urine came from, **(not the anal passage)**,

because there is no exited filth and so one does not need to wash that part.

Eight is the **(precautionary: If something came out of the body and did not spread)**, meaning exited from the body, **(then you only have to clean that place)** from which it came from, cautiously, because it is not filth unless there are debris where it did not flow from. This is according to us but they are debris and filth according to most scholars. It is better to wash such debris than to leave them, and there is disagreement among the scholars.

وَأَمَّا الْبِدْعَةُ: إِذَا خَرَجَ شَيْءٌ مِنْ غَيْرِ السَّبِيلَيْنِ أَوْ خَرَجَ رِيحٌ مِنْ دُبُرِهِ الاسْتِنْجَاءُ لِذَلِكَ بِدْعَةٌ.

Innovation: If something came out of neither of the passages or wind came from the rear, then it is an innovation to wash it (the rear).

Ninth is the **(innovation: if something came out of neither of the passages)** - for example if blood, vomit or pus came out but not from the private places - **(or wind from the rear, then it is an innovation)** it becomes, **(to wash it (the rear))**. This is because the righteous predecessors did not do it and nothing has occurred there because the wind itself is not filth, rather it is pure. Even if one wears wet pants or they have been wetted by an instrument in the place in which the wind came from, it does not make him filthy and this is the general opinion.

فَصْلٌ فِي عَدَدِ مَا يُسْتَنْجَى بِهِ

وَيَسْتَنْجِي بِثَلَاثِ أَحْجَارٍ أَوْ بِثَلَاثِ مَدَرَاتٍ أَوْ بِثَلَاثِ حَفَنَاتٍ مِنَ التُّرَابِ فَإِنَّهُ يُجْزِئُ عِنْدَ عُلَمَائِنَا رَحِمَهُمُ اللهُ وَالْعَدَدُ لَيْسَ بِشَرْطٍ وَالْانْقَاءُ شَرْطٌ وَلَوِ اسْتَنْجَى بِحَجَرٍ وَاحِدٍ لَهُ ثَلَاثُ أَحْرُفٍ يَسْتَنْجِي بِكُلِّ حَرْفٍ مِنْهُ مَرَّةً حَتَّى يَحْصُلَ التَّطْهِيرُ فَإِنَّهُ يَجُوزُ عِنْدَنَا

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20. Chapter on the number of what you can do Istinja with

To do Istinja with three stones, pebbles or three handfuls of dust is acceptable by our scholars, may Allah have mercy on them. The number is not a condition but cleanliness is a condition. So if you do Istanja with one stone with three sides, and use each side once until you are clean, then it is permissible with us.

Commentary on the chapter on the number of what you can do Istinja with

(To do Istinja with three stones or pebbles or three handfuls of dust is acceptable by our scholars) three **(may Allah have mercy on them)**. To perform the Sunna of Istinja, **(the number,)** in the Istinja is three; either less or more. **(Is not a condition but)** in performing the Sunna of

Istinja, **(cleanliness is a condition)** in performing the Sunna. If it is not clean then the Sunna in not fulfilled according to us. **(So if you do Istinja with one stone with three sides, and use each side once until it is clean,)** this is cleaning, **(then it is permissible with us.)** To perform the Sunna; as Imam Shafi said that using every side of the three sided stone; from the accepted stones; achieves the number.

وَ الْعَدَدُ شَرْطٌ عِنْدَ الشَّافِعِيِّ رَحِمَهُ اللهُ تَعَالَى

The number is a condition with Imam Shafi (may Allah the Exalted show him mercy).

(The number) Up to three, **(is a condition with Imam Shafi (May Allah (the Exalted) show him mercy)).**

لِمَا رُوِيَ عَنِ ابْنِ مَسْعُودٍ رَضِيَ اللهُ عَنْهُ أَنَّهُ قَالَ : كُنْتُ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي لَيْلَةِ الْجِنِّ فَسَأَلَنِي أَحْجَارًا لِلِاسْتِنْجَاءِ فَأَتَيْتُهُ بِحَجَرَيْنِ وَ رَوْثَةٍ فَأَخَذَ الْحَجَرَيْنِ وَرَمَى الرَّوْثَةَ فَقَالَ: "هٰذَا رِجْسٌ أَوْ نِكْسٌ". وَالرِّجْسُ وَالنِّكْسُ بِمَعْنًى وَاحِدٍ.

Ibn Mas'ud[287] (may Allah be pleased with him) related, "I was with the Messenger of Allah (may Allah bestow upon him peace and blessings) when he met the Jinn and asked me for some stones for Istinja. So I brought two stones and piece of faeces. He (may Allah bestow upon him peace and blessings) threw away the faeces and said, *"This is filth,' or 'nakas."*[288] Nakas and filth carry the same meaning.

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[287] Abdullah Ibn Mas'ud Ibn Gafil Abu Abdulrahim Al-Hazi was amongst the first Muslims. He was like a servant to the Prophet (may Allah bestow upon him peace and blessings) because of his love. He used to help him put on his shoes, he would walk in front of him, cover him if he washed, wake him if he was asleep and he used to keep the siwak for him. He was seen in Paradise with the Prophet (may Allah bestow upon him peace and blessings). He passed away in 32 A.H. in Madinah and was in his 60s when he passed away.

[288] Bukhari.

(Ibn Mas'ud (may Allah be pleased with him) related, "I was with the Messenger of Allah (may Allah bestow upon him peace and blessings) on the night of the Jinn) Which was when they appeared and accepted Islam and he (upon him be blessings) read the Quran to them. **(And he asked for some stones for Istinja. Therefore, I brought two stones and piece of faeces. He (may Allah bestow upon him peace and blessings) threw away the faeces and said, "This is filth, nakas."[289])** There is doubt in the narrator, **(Nakas and filth have the same meaning.)** this indicates that the three are a condition.

[289] Bukhari.

قُلْنَا هَذَا الْحَدِيثُ حُجَّةٌ عَلَيْكُمْ لِأَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَخَذَ الْحَجَرَيْنِ وَرَمَى الرَّوْثَةَ فَلَوْ كَانَ الْعَدَدُ شَرْطًا لَسَأَلَ الثَّالِثَ فَإِذَا لَمْ يَسْأَلْ وَسَكَتَ عَنْ الثَّالِثِ ثَبَتَ أَنَّ الْعَدَدَ لَيْسَ بِشَرْطٍ وَالْانْقَاءَ شَرْطٌ، وَلَوْ أَنْقَى بِحَجَرٍ وَاحِدٍ لا يَحْتَاجُ إِلَى الثَّانِي وَلَوْ أَنْقَى بِالثَّانِي لا يَحْتَاجُ إِلَى الثَّالِثِ وَلَوْ لَمْ يُنْقِ بِثَلاثٍ فَإِنَّهُ يَزِيدُ عَلَى ذَلِكَ حَتَّى يُنْقِيَهُ.

We say this Hadith is the proof, against you, because the Prophet (may Allah bestow upon him peace and blessings) took two stones and threw the faeces away. If the number were a condition then he (may Allah bestow upon him peace and blessings) would have asked for a third. Therefore, when he did not ask for a third, then this proves that number is not a condition but cleanliness is. If you can clean with one stone then you do not need to use two, if you cannot, use three. If you are not clean by three then use more until you are clean.

(We say this Hadith is the proof, against you), addressing the Shafi's (may Allah be pleased with them), **(because the Prophet (may Allah bestow upon him peace and blessings) took two stones and threw the faeces away. If the number were a condition),** for Istinja, **(then he (peace**

and blessing be upon him) would have asked for a third. So when he did **not ask for a third, then this proves that number is not a condition** but **cleanliness is)** even **(If you can clean with one stone then you do not need to use two)** to perform the Sunna. **(If you can clean with two then you do not have to use three)** as the objective is to clean. **(If you are not clean by three)** stones or clay **(then you have to use more)** four or five.

(Until you are, clean.) When one is clean, the Sunna has been achieved, even if an odd number has not been used because the order of three is desired. The proof of this are his (upon him peace) words, "Whoever uses Kohl should do it an odd number of times. Whoever does so that has excelled, whoever has no difficulty. Whoever uses stones then use an odd number, and whoever does so has excelled."[290] Allah is the Inspirer. O' Allah allow me to complete this by the honour of Muhammad upon him blessings.

[290] Ad-Darami, 662; Abu Dawood, 35; Ibn Majah, 3498, from Abu Hurayrah (may Allah be pleased with him).

فَصْلٌ فِيمَا يَجُوزُ بِهِ الْاسْتِنْجَاءُ

وَيَجُوزُ الْاسْتِنْجَاءُ بِستَّةِ أَشْيَاءِ : بِالْحَجَرِ وَالْمَدَرِ وَالتُّرَابِ وَالْخِرْقَةِ وَ اللَّبِدِ وَالْقُطْنُ ، وَمَا أَشْبَهَ ذَلِك.

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21. Chapter on what it is permissible to do Istinja with

It is permissible to do Istinja with six things:

1. Stones
2. Clay
3. Dust
4. Old clothes
5. Sun-baked brick
6. Cotton etc.

Commentary on the chapter on what it is permissible to do Istinja with

(It is permissible to Istinja), without dislike, **(with six things);** one, **(stones)** two **(clay)** three **(dust)** four **(old clothes)** that have no value to them and it is disliked to do it with clothes of value. Five **(sun baked brick)** Sixth, **(cotton etc.)** if it has no value.

فَصْلٌ فِيمَا يُكْرَهُ بِهِ الْاسْتِنْجَاءُ

وَيُكْرَهُ الْاسْتِنْجَاءُ بِالْعَظْمِ وَالرَّوْثِ

22. Chapter on what is prohibited to use for Istinja

It is disliked to do Istinja with:

1. Bone
2. Dung

Commentary on the chapter on what is prohibited to use for Istinja

Az-Zahidi said, "It is disliked to use anything of value like silk and paper." **(It is disliked to do Istinja with:)** six disliked things. First is **(bone)** the Prophet (upon him be blessings) said, "Whoever performs Istinja with bone or faeces; is released from the protection of Muhammad (peace and blessings be upon him)."[291]

Second is **(dung)** as mentioned in the previous hadith, and it is disliked to do it with dried or animal faeces. All filth such as stone which

[291] Imam Ahmed and At-Tabarani, from Wafiah Ibn Thabit.

is used falls under the first category. If there is no other edge then it cannot be used for Istinja.

وَالْخَزَفِ وَالْآجُرِّ وَعَلَفِ الدَّوَابِّ ، وَمَا أَشْبَهَ ذَلِكَ.

3. Clay pots
4. Tiles
5. Animal food and so on

Third is **(clay pots)** meaning containers made from clay; meaning the pieces such.

Fourth is **(tile),** because it is harmful and may cause injury. It is therefore also disliked to us glass or coal because these could cause harm to the backside, as described in *Al-Bahr.*

Fifth is **(animal food),** like grass etc **(and so on)**. The food of man can also not be used because this is waste and offensive. It is also disliked to do it with paper, cane, fur and cotton because these are items that can be passed on. Allah is the Guider.

فَصْلٌ فِي تَحْدِيدِ مَعْنَى الاسْتِنْجَاءِ وَالْاسْتِنْقَاءِ وَالْاسْتِبْرَاءِ.

فَإِنْ قِيلَ:" مَا الْفَرْقُ بَيْنَ الْاسْتِنْجَاءِ وَالْاسْتِنْقَاءِ وَالْاسْتِبْرَاءِ"؟
فَقُلْ:"الْاسْتِنْجَاءُ : هُوَ اسْتِعْمَالُ الأَحْجَارِ وَالْمَاءِ".

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23. Chapter on the definition and meaning of Istinja, Istinqa and Istibraa

Question: "What is the difference between Istinja, Istinqa and Istibraa?"

Reply: "Istinja is using water or stones to clean oneself."

Commentary on the chapter on the definition and meaning of Istinja, Istinqa and Istibraa

(Question: "What is the difference between Istinja, Istinqa and Istibra?" Reply: "Istinja is using water or stones to clean oneself") if it is available, or clean earth, if water is unavailable.

This meaning is described in *Al-Tatarkhania*[292] as follows: "Istinja is seeking to purify the front side and the back side from what came out from it, with water or clean earth."

وَأَمَّا الْاسْتِنْقَاءِ : فَهُوَ طَلَبُ النَّقَاوَةِ بِالْحَجَرِ وَالْمَدَرِ وَغَيْرِ ذَلِكَ ، وَقَالَ بَعْضُهُمْ:"هُوَ أَنْ يَدْلُكَ مَقْعَدَهُ حَتَّى تَذْهَبَ رَائِحَتُهُ الْكَرِيهَةُ بِرَاحَةِ شِمَالِهِ". وَقَالَ بَعْضُهُمْ : هُوَ أَنْ يُنَشِّفَ بِالْمِنْشَفَةِ أَوْ بِالْخِرْقَةِ حَتَّى لا يَقْطُرَ الْمَاءُ الْمُسْتَعْمَلُ عَلَى الثَّوْبِ.

What is Istinqa? This is a desire for cleanliness by using stones, clay or other than that. Some say: "It is to wipe the place of defecation until the smell goes, with the hand." Some say to dry with a towel or cloth so that no used water drips onto you.

(What is Istinqa? This is a desire for cleanliness by using stones, clay or other than that.) This is Istinja as we have shown. **(Some say: "It is to wipe the place of defecation until the smell goes, with the hand.")** This

[292] Book of legal edicts similar to Fatwa Hindiyyah.

is best and others say that cleaning is to rub the place until it is almost dry; so the used water does not flow to the water for Istinja; on the body or the clothes. **(Some say)** Istinqa is **(to dry)** the place, **(with a towel or cloth)** to purify **(so that no used water drips onto you).** All of this is highly sought.

وَأَمَّا الاسْتِبْرَاءُ :هُوَ أَنْ يَتَنَحْنَحَ الرَّجُلُ حَتَّى يُزِيلَ الْمَاءَ مِنْ مَثَانَتِهِ بِفَرْكِ ذَكَرِهِ، وَقَالَ بَعْضُهُمْ : أَنْ يَنْقُلَ قَدَمَيْهِ مِنْ مَوْضِعِ الْغَائِطِ إِلَى مَوْضِعِ الطَّهَارَةِ وَقِيلَ :" هُوَ أَنْ يَرْكُضَ رِجْلَيْهِ عَلَى الأَرْضِ حَتَّى تَزُولَ بُرُودَةُ الطَّبِيعَةِ عَنْهُ".

Istibraa: Is when a man coughs until urine is fully removed from himself, from the sac, by moving the male part. Others say that he should move away from the toilet to a clean place and stamp his feet until he is sure that there is no urine left inside him.

(Istibraa); this is when one coughs in order for the remainder of the filth to leave oneself. **(Is when a man coughs until urine is full removed from oneself),** urine. **(From the sac, by moving the male part),** it means to milk the part in order to remove the remaining water from the tract. **(Others say that he should move away from the toilet to a clean place)** until he is convinced that the urine has gone. Some estimate ten steps and some the number of his age.[293]

It was said, **(and stamp his feet until)** so that the urine falls or when one shakes one's leg to make sure it has come out. One can change legs from left to right or come down from a high place to a lower one until **(he is sure that there is no urine left inside him).** It is authenticated that the natures of people are different; so when they are sure that it has completely gone then it is Istinja; as stated in *Al-Mudamrat.*[294] Allah is the Guider.

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[293] These estimates are to remove whispering and ensure that urine has left the body.

[294] Commentary on Quduri by Yusuf Ibn Umar As-Sufi.

فَصْلٌ فِيمَا يَحْتَاجُ إِلَيْهِ الْمُسْتَنْجِي.

ثُمَّ اعْلَمْ بِأَنَّ الْمُسْتَنْجِيَ يَحْتَاجُ عِنْدَ الدُّخُولِ فِي الْخَلَاءِ وَالْخُرُوجِ مِنْهُ إِلَى سِتَّةِ أَشْيَاءَ .أَوَّلُهَا : الْبُدَاءَةُ بِرِجْلِهِ الْيُسْرَى وَالثَّانِي : التَّعَوُّذُ وَهُوَ أَنْ يَقُولَ: اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الرِّجْسِ وَالنَّجَسِ وَالْخَبِيثِ الْمُخْبِثِ .مِنَ الشَّيْطَانِ الرَّجِيمِ

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24. Chapter on the requirement of the Mustanji

Know that the Mustanji (the one who is cleaning themselves) has essentials when entering and leaving the toilet, numbering six:

1. Begin by entering the toilet with the left leg
2. Seek protection and say, "O Allah truly I ask you to protect me from the filth, dirt, muck, filthiness and from the accursed satan."

Commentary on the Chapter on the requirement of the Mustanji

(Know that the Mustanji has essentials when entering) the toilet and its requirements, **(and leaving the toilet, numbering six):**

First is to **(begin by entering the toilet with the left leg)** entering the toilet in a manner opposite to entering the Masjid.

Second is to **(seek protection)** with Allah, **(and say, "O Allah truly I ask you to protect me from the filthiness, dirt, muck, the filthy and from the accursed satan.")** This is the cursed devil/Ibless!

وَالثَّالِثُ: أَنْ يَسْتَنْجِيَ بِثَلَاثَةِ أَحْجَارٍ أَوْ بِثَلَاثَةِ مَدَرَاتٍ أَوْ بِثَلَاثِ حَفَنَاتٍ مِنَ التُّرَابِ. وَالرَّابِعُ: الْخُرُوجُ بِرِجْلِهِ الْيُمْنَى

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3. Clean with three stones, three clay pieces, or three handfuls of dust
4. Leave with the right leg

Third is to **(clean with three stones, three clay pieces, or three handfuls of dust)** as it was desired according to instruction and this leaves the disagreement; from the conditions imposed.

Fourth is **(leave)** the toilet **(with the right leg),** because leaving the toilet is noble and therefore it is desirable to do so with the right leg.

وَالْخَامِسُ: أَنْ يَشْكُرَ اللهَ تَعَالَى وَهُوَ أَنْ يَقُولَ : الْحَمْدُ للهِ الَّذِي أَذْهَبَ عَنِّي مَا يُؤْذِينِي وَأَمْسَكَ عَلَيَّ مَا يَنْفَعُنِي وَرُوِيَ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ :غُفْرَانَكَ غُفْرَانَكَ، وَفِي رِوَايَةٍ أُخْرَى :غُفْرَانَكَ رَبَّنَا وَإِلَيْكَ الْمَصِيرُ وَرُوِيَ عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ أَنَّهُ قَالَ الْحَمْدُ للهِ الْحَافِظِ مِنَ الْمُوذِي.

5. Thanking Allah (the Exalted) by saying, "All praise is for Allah who freed me from what may harm me and preserved in me what benefits me."

   It is narrated that the Messenger of Allah (may Allah bestow upon him peace and blessings) said, "Your forgiveness. Your pardon."[295] Or in another narration, "Your pardon, Lord, to you is the journeying."[296]

   It is narrated that Ali Ibn Abu Talib[297] (may Allah be pleased with him) said, "All praise is for Allah, who preserved me from harm."

[295] Abu Dawood; Hakim; Ibn Khuzaymah; all from Aisha.

[296] Hakim and Ibn Khuzaymah, from Aisha.

[297] Ali Ibn Abu Talib was the cousin of the Prophet (may Allah bestow upon him peace and blessings). According to some of the scholars, he was the first Muslim. The

Fifth is **(thanking Allah (the Exalted))** for granting one ease and causing to exit that which if it had remained inside would have caused harm. **(By saying, "All praise is for Allah who freed me from what may harm me and preserved in me what benefits me.")** Meaning to benefit the body. **(It is narrated that the Messenger of Allah (may Allah bestow upon him peace and blessing) said)** when he left the toilet, **("Your forgiveness. Your pardon."[298])** This means forgive and pardon me and the second emphasises the first.[299] **(Or in another narration, "Your pardon, Lord to You is the journeying."[300])** Returning to Allah (the Exalted). **(It is narrated that Ali Ibn Abu Talib,"** **(may Allah be pleased with him)** and ennoble his face and curse his haters, **(said, "All praise is for Allah, who preserved me from harm")**.

Prophet (may Allah bestow upon him peace and blessings) said, "You are my brother in the world and in Paradise." He passed away on the 19th of Ramadan in the year 40 A.H. (Isad Al-Ghabah).

[298] Abu Dawud, 30; Hakim, 562; Ibn Khuzaimah, 90; all from Aishah.

[299] The first word emphasises the second.

[300] Hakim and Ibn Khuzayima, from Aishah.

This 'ennoble his face' supplication is specifically said after the name of Ali (may Allah be pleased with him), who was granted this praise and honour towards his face, from amongst the companions, because he never worshiped idols. He was distinguished in the way in which he responded to the call of the Prophet (may Allah bestow upon him peace and blessings); he believed him and never went towards disbelief, ever.

وَالسَّادِسُ : أَنْ لا يَتَكَلَّمَ فِي الْخَلاءِ بِدَلِيلِ مَا رُوِيَ عَنْ أَبِي بَكْرٍ الصِّدِّيقِ رَضِيَ اللهُ عَنْهُ أَنَّهُ كَانَ إِذَا أَرَادَ الدُّخُولَ إِلَى الْكَنِيفِ يَبْسُطُ رِدَاءَهُ عَلَى الأَرْضِ وَيَقُولُ:"أَيُّهَا الْمَلَكَانِ الْحَافِظَانِ عَلَيَّ اجْلِسَا هَاهُنَا فَإِنِّي قَدْ عَاهَدْتُ اللهَ أَنْ لا أَتَكَلَّمَ فِي الْخَلاءِ".

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6. Not to talk in the toilet, using this as evidence: Abu Bakr As-Saddiq[301] (may Allah be pleased with him) used to put his cloak on the floor and say, "O you, guardian angels, sit here and wait because I promised Allah not to speak in the toilet."

Sixth is **(not to talk in the toilet using this as evidence: Abu Bakr As-Saddiq (may Allah be pleased with him) wanted to go to toilet; he used to)** before entering the toilet, **(put his cloak)** which he wore **(on the floor and say, "O you, guardian angels, sit here and wait because I promised Allah not to speak in the toilet")** because speaking in the place of urine and faeces, it necessitates strong disliked; meaning strong anger (against one who speaks in the toilet).

I seek refuge with Allah from the evil of ourselves and from the evil of our actions.

[301] Abduallah Ibn Uthman Ibn Amir Al-Qurashi Al-Tammi, known as Abu Bakr. He was a companion of the Prophet (may Allah bestow upon him peace and blessings) before the prophethood, followed him into the faith, stayed with him in Makkah and emigrated with him to Madinah. He is the father of Aisha (the mother of the believers). He passed away on a Friday in 13 A.H. (Isad Al-Ghabah).

فَصْلٌ فِي صِفَةِ الْوُضُوء

وإذَا أَرَادَ الإنْسَانُ أَنْ يَتَوَضَّأَ يَغْسِلُ يَدَيْهِ ثَلاثًا وَيَقُولُ:" بِسْمِ اللهِ الْعَظِيمِ وَالْحَمْدُ للهِ عَلَى دِينِ الإسْلامِ"

25. Chapter on the description of ablution

If a person wishes to do ablution, he washes his hands three times then says, "By Your great name Allah, all praise is Yours for the religion of Islam."

Commentary on the chapter on description of ablution

(If a person wishes to do ablution), this is for every person making ablution that the Sunna begins when **(he washes his hands three times then says),** when washing, **("By Your great name Allah, all praise is Yours for the religion of Islam.")** Even if one says, "In the name of Allah, the Most Merciful, the Most Compassionate," the Sunna achieved.

قَبْلَ أَنْ يَكْشِفَ عَوْرَتَهُ ثُمَّ يَسْتَنْجِي بَعْدَ ذَلِكَ فَإِذَا فَرَغَ مِنَ الاسْتِنْجَاءِ يَقُولُ :"اللَّهُمَّ اجْعَلْنِي مِنَ التَّوَّابِينَ وَاجْعَلْنِي مِنَ الْمُتَطَهِّرِينَ وَاجْعَلْنِي مِنْ عِبَادِكَ الصَّالِحِينَ وَاجْعَلْنِي مِنَ الَّذِينَ لا خَوْفٌ عَلَيْهِمْ وَلا هُمْ يَحْزَنُونَ"

Before uncovering your nakedness and doing Istinja, and after completing Istinja say, "O' Allah, make me amongst the oft turning to you and purified. And make me amongst the sincere worshippers and those who are not fearful or sad."

(Before uncovering your nakedness and then doing Istinja), but not in the place that one carries out one's need, do not lengthen the Istinja as it can cause hemorrhoids. **(And after it say, "O Allah, make me amongst the oft turning to You)** the oft repentant **(and purified)** meaning cleansed from the defilement of sins.

(**And make me amongst the sincere worshippers and**) those who have directed themselves to You alone, the all-Generous. (**Those who are not fearful or sad.**")[302] They believe and fear God.

وَفِي رِوَايَةٍ أُخْرَى يَقُولُ :"الْحَمْدُ للهِ الَّذِي أَنْزَلَ مِنَ السَّمَاءِ مَاءً طَهُورًا وَجَعَلَ الإِسْلامَ نُورًا وَقَائِدًا وَدَلِيلاً إِلَى جَنَّاتِهِ جَنَّاتِ النَّعِيمِ وَإِلَى دَارِهِ دَارَ السَّلامِ ، اللَّهُمَّ حَصِّنْ فرجي وَاسْتُرْ عَوْرَتِي

Or in another narration, "All praise is for Allah who sends pure water from the skies and makes Islam a light, guiding, proof for His Heavens to His blessed Paradise, to the abode of peace. "O Allah, protect my private place (and forgive my sins) whilst I uncover my nakedness."

(**Or in another narration, "All praise is for Allah who send pure water from the skies and makes Islam a light, guiding**) to goodness and a (**proof for his Heavens, to his blessed Paradise, to the abode of peace. "O**

[302] "Whoever follows My guidance, no fear shall be on them, neither shall they be saddened." Quran the Heffer 2:38.

Allah, protect my private place (and forgive my sins) whilst I uncover my nakedness.")

ثُمَّ يَسْتَاكُ بَعْدَ ذَلِكَ إِنْ كَانَ لَهُ مِسْوَاكٌ وَإِنْ لَمْ يَكُنْ لَهُ مِسْوَاكٌ يَسْتَاكُ بِأَصَابِعِهِ فَإِنَّهُ يُجْزِيهِ وَ يَقُولُ :" اللَّهُمَّ طَيِّبْ نَكْهَتِي وَ نَوِّرْ قَلْبِي وَمَحِّصْ ذُنُوبِي " ثُمَّ يَتَمَضْمَضُ. وَ يَقُولُ:"اللَّهُمَّ أَعِنِّي عَلَى تِلاوَةِ ذِكْرِكَ وَشُكْرِكَ وَحُسْنِ عِبَادَتِكَ

Then use Miswak, if you have it, otherwise it is permissible to use your finger. Say, "O Allah, enlighten my heart, fragrance my breath and forgive my sins." Then rinse and say, "O Allah, help me to recite your remembrance, thank You and perfect my worship to You."

(**Then use Miswak, if you have it, otherwise it is permissible to use your finger. Say, "O' Allah, enlighten my heart, fragrance my breath and forgive my sins." Then rinse**) (the mouth) three times according to the Sunna, (**and say, "O Allah help me to recite Your remembrance**), the Quran, (**Thank You and perfect my worship to You**).

ثُمَّ يَسْتَنْشِقُ وَيَقُولُ: "اللَّهُمَّ أَرِحْنِي مِنْ رَائِحَةِ الْجَنَّةِ وَارْزُقْنِي مِنْ نَعِيمِهَا وَلا تُرِحْنِي مِنْ رَائِحَةِ النِّيرَانِ وَأَنْتَ عَلَيَّ رَاضٍ" ثُمَّ يَغْسِلُ وَجْهَهُ وَيَقُولُ: "اللَّهُمَّ بَيِّضْ وَجْهِي يَوْمَ تَبْيَضُّ وُجُوهُ أَوْلِيَاءِكَ وَلا تُسَوِّدْ وَجْهِي يَوْمَ تَسْوَدُّ وُجُوهُ أَعْدَاءِكَ" وَفِي رِوَايَةٍ أُخْرَى: "اللَّهُمَّ بَيِّضْ وَجْهِي وَطَهِّرْ قَلْبِي وَاشْرَحْ صَدْرِي"

Clean out your nose and say, "O Allah, allow me to smell the fragrance of Heaven and provide me blessing therein. And prevent me from smelling the stench of hell, whilst You are pleased with me." Then wash your face and say, "O Allah, enlighten my face on a day when You enlighten the faces of Your people. And do not darken my face on a day when You will darken the faces of Your enemies." Or in another narration, "O Allah, enlighten my face, purify my heart and expand my chest."

(Clean out your nose) three times according to the Sunna, **(and say, "O Allah, grant me to smell the fragrance of Heaven and provide me blessing therein.)** This is the blessing of the maidens of Paradise and

looking at Him.[303] **(And prevent me from smelling the stench of hell; whilst You are pleased with me.)**

(Then wash your face) three times, the first is obligatory and the other two are Sunna, which is the relied upon opinion. **(And say, "O Allah enlighten my face on a day when You enlighten the faces of Your people)** the believers. **(And do not darken my face on a day when You will darken the faces of Your enemies.")** The disbelievers; by Your mercy, the Most Merciful of the Merciful. **(Or in another narration,)** it said **("O Allah, enlighten my face, purify my heart and expand my chest.")**

ثُمَّ يَغْسِلُ يَدَهُ الْيُمْنَى وَيَقُولُ: "اللَّهُمَّ أَعْطِنِي كِتَابِي بِيَمِينِي وَحَاسِبْنِي حِسَابًا يَسِيرًا" ثُمَّ يَغْسِلُ يَدَهُ الْيُسْرَى وَيَقُولُ: "اللَّهُمَّ لا تُعْطِنِي كِتَابِي بِشِمَالِي وَلا مِنْ وَرَاءِ ظَهْرِي وَلا تُحَاسِبْنِي حِسَابًا عَسِيرًا"

Wash your right hand and say, "O Allah, please give my book into my right hand and reckon me, an easy reckoning."[304]

[303] The greatest pleasure of Paradise is to look at Allah (Mighty and Majestic).
[304] A supplication referring to the reckoning/hisab on the Day of Judgement.

Wash your left hand and say, "O Allah, please do not give my book into my left hand nor behind my back or make my reckoning difficult."

(Wash your right hand and say, "O Allah, please give my book into my right hand and reckon me an easy reckoning.")

(Wash your left hand and say, "O Allah, please do not give my book into my left hand or behind my back or make my reckoning difficult.") Allah (the Exalted) said, "So whoever receives his book in his right hand, he shall have an easy reckoning."[305] ...Etc.

[305] Quran, the Sundering, 84:6-7.

ثُمَّ يَمْسَحُ رَأْسَهُ وَيَقُولُ: " اللَّهُمَّ غَشِّنِي بِرَحْمَتِكَ وَأَنْزِلْ عَلَيَّ مِنْ بَرَكَاتِكَ وَ نَجِّنِي مِنْ عَذَابِكَ وَظَلِّلْنِي تَحْتَ عَرْشِكَ يَوْمَ لا ظِلَّ إلا ظِلَّكَ" ثُمَّ يَمْسَحُ أُذُنَيْهِ وَيَقُولُ : " اللَّهُمَّ اجْعَلْنِي مِنْ الَّذِينَ يَسْتَمِعُونَ الْقَوْلَ فَيَتَّبِعُونَ أَحْسَنَهُ"

Wipe your head and say, "O Allah, envelop me in Your mercy, send blessings upon me, free me from my sins. Shade me under Your throne on a day when there will be no shade except Yours."

Wipe your ears and say, "O Allah make me of those who hear advice and follow the best thereof."[306]

(Wipe your head) using your hand, **(and say, "O Allah, envelop me in Your mercy, send blessings upon me, free me from my sins. Shade me under Your throne on a day when there will be no shade except Yours.")**

(Wipe your ears) with the same water used for the head, **(and say "O' Allah make me those who hear advice)** meaning the Quran, **(and**

[306] Quran, the Troops, 39.17-18.

follow the best thereof.")[307] Meaning those who practice Halal and avoid prohibitions.

ثُمَّ يَمْسَحُ رَقَبَتَهُ وَيَقُولُ :"اللَّهُمَّ أَعْتِقْ رَقَبَتِي مِنَ النَّارِ
وَاحْفَظْنِي مِنَ السَّلَاسِلِ وَالأَغْلَالِ وَالأَنْكَالِ" ثُمَّ يَغْسِلُ رِجْلَهُ الْيُمْنَى
وَيَقُولُ :"اللَّهُمَّ ثَبِّتْ قَدَمِي عَلَى الصِّرَاطِ يَوْمَ تَزُولُ فِيهِ الأَقْدَامُ" وَفِي
رِوَايَةٍ " يَوْمَ تُزَلْزِلُ فِيهِ الأَقْدَامَ"

Wipe your neck and say, "O Allah free my neck from the fire and protect me from the neck brace, handcuffs and shackles."

Then wash your right foot and say, "O Allah affirm my feet upon the traverse, on a day that feet will slip." Or in another narration, "The day when the feet will tremble."

(Wipe your neck) with new water or with the water on the back of your hands. **(And say, "O Allah free my neck from the fire and protect me**

307 Quran, the Troops, 39.17-18.

from the neck brace, handcuffs and shackles.") Not enter me into the fire and save me from the handcuffs and shackles.

(Then wash your right foot and say, "O Allah affirm my feet upon the traverse, on a day that feet will slip. Or in another narration, "The day when the feet will tremble.") On the Day of Judgement, the day when the scales will be balanced, on the precipice of hell.

ثُمَّ يَغْسِلُ رِجْلَهُ الْيُسْرَى وَيَقُولُ : "اللَّهُمَّ اجْعَلْ لِي سَعْيًا مَشْكُورًا وَذَنْبًا
مَغْفُورًا وَعَمَلًا مَقْبُولًا وَتِجَارَةً لَنْ تَبُورَ بِعَفْوِكَ يَا عَزِيزُ يَا غَفَّارُ
بِرَحْمَتِكَ يَا أَرْحَمَ الرَّاحِمِينَ".

Wash your left foot and say, "O Allah make my works gratitude, my sins forgiven, my works acceptable and my business not devoid of your pardon. O Almighty, O Forgiver, by Your mercy; O Most Merciful of those who show mercy."

(Wash your left foot and say, "O' Allah make my works gratitude, my sins forgiven, my works acceptable and my business not devoid)

meaning one does not just work to earn money, **(of Your pardon. O Almighty, O Forgiver, by Your mercy O Most Merciful of those who show mercy.")**

وَإِذَا فَرَغَ مِنَ الْوُضُوءِ يُسْتَحَبُّ لَهُ أَنْ يَنْظُرَ إِلَى السَّمَاءِ وَيَقُولَ : اللَّهُمَّ وَبِحَمْدِكَ أَشْهَدُ أَنْ لا إِلَهَ إِلاَّ أَنْتَ وَحْدَكَ لاَ شَرِيكَ لَكَ "سُبْحَانَكَ أَسْتَغْفِرُكَ وَأَتُوبُ إِلَيْكَ" ثُمَّ يَنْظُرُ إِلَى الأَرْضِ وَيَقُولُ:" وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُكَ وَرَسُولُكَ

When you have finished ablution, it is recommended for you to look to the Heavens and say, ("All praise is for Allah upon completing ablution and following the Sunna"). Then say, "Your glory and praise O Allah; I testify that there is no deity except You alone; You have no partner; I seek forgiveness and repent to You." Then look to the earth and say, "I testify that Muhammad is your Prophet and Messenger."

(When you have finished ablution it is recommended for you to look to the Heavens) with the intention of his words (may peace and

blessings be upon him), "Whoever does that is forgiven,"[308] **(and say)**[309] whilst looking, **("Your Glory and praise O' Allah; I testify that there is no deity except You alone; You have no partner, I seek forgiveness and repent to You." Then look to the earth and)** to the vastness of the Divineness. **(Say, "I testify that Muhammad is your Prophet and Messenger.")**

ثُمَّ يَقْرَأُ سُورَةَ " إِنَّا أَنْزَلْنَاهُ فِي لَيْلَةِ الْقَدْرِ" عَلَى إِثْرِ الْوُضُوءِ مَرَّةً وَاحِدَةً مَنْ قَرَأَهَا مَرَّةً وَاحِدَةً كَتَبَ اللهُ لَهُ ثَوَابَ عِبَادَةِ خَمْسِينَ سَنَةٍ صِيَامِ نَهَارِهَا وَقِيَامِ لَيْلِهَا

Then recite Sura the Power "Lo! We revealed it on the night of power"[310] once after ablution. Whoever reads it once, Allah writes for him fifty years of fasting during the day and praying during the night."

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[308] Not found currently.

[309] In another text it states, "All praise belongs to Allah upon completing ablution and following the Sunna."

[310] Quran, the Power, 96:1.

(Then recite Sura the Power, "Lo! We revealed it on the night of power")"[311] To its end **(once after ablution.)** Because the Prophet (may Allah bestow upon him peace and blessings) used to do this. It is narrated that the Messenger of Allah (may Allah bestow upon him peace and blessings) used to say, **(whoever reads it once,)** Meaning Sura the Power with the traces of ablution upon him, **(Allah writes for him fifty years of fasting during the day and praying during the night.")**[312]

وَمَنْ قَرَأَهَا مَرَّتَيْنِ أَعْطَاهُ اللهُ تعَالىَ مَا أَعْطَى الْخَلِيلَ وَ الْكَلِيمَ وَالرَّفِيعَ والْحَبِيبَ وَمَنْ قَرَأَهَا ثَلاثَ مَرَّاتٍ يَفْتَحِ اللهُ لَهُ ثَمَانِيَةَ أَبْوَابِ الْجَنَّةِ يَدْخُلُهَا مِنْ أَيِّ بَابٍ شَاءَ بِلاَ حِسَابٍ وَلاَ عَذَابٍ

If read twice, Allah gives them what He gave the Bosom friend[313], the Speech[314], the Raised[315] and the Beloved.[316] Whoever reads it three

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[311] Quran, the Power, 96:1.

[312] Not found.

[313] The Prophet Ibrahim/Abraham (upon him be peace).

[314] The Prophet Musa/Moses (upon him be peace).

[315] The Prophet Isa/Jesus (upon him be peace), or the Prophet Idrees (upon him be peace).

times, Allah opens eight doors of heaven for him, and he enters from whichever door he wishes without reckoning or punishment.

(If read twice, Allah gives them what He gave the Bosom friend,) The reward of the bosom friend Ibrahim (upon him peace). **(The Speech,)** This is Musa Ibn Imran (upon him peace), **(the Risen,)** this is Isa (upon him peace). **(The Beloved,)** which is our Prophet Muhammad (may Allah bestow upon him peace and blessings). **(Whoever reads it three times, Allah opens eight doors of heaven for him, and he enters from whichever door he wishes without reckoning or punishment.)**

وَرُوِيَ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ:" مَنْ قَرَأَ إِنَّا أَنْزَلْنَاهُ فِي لَيْلَةِ الْقَدْرِ عَلَى إِثْرِ وُضُوءِهِ مَرَّةً وَاحِدَةً كَتَبَهُ اللهُ تَعَالىَ مِنَ الصِّدِّيقِينَ، وَمَنْ قَرَأَهَا مَرَّتَيْنِ كَتَبَهُ اللهُ تَعَالىَ مِنَ الشُّهَدَاءِ وَالصَّالِحِينَ وَمَنْ قَرَأَهَا ثَلاثَ مَرَّاتٍ يَحْشُرُهُ اللهُ سُبْحَانَهُ وَ تَعَالىَ يَوْمَ الْقِيَامَةِ فِي مَحْشَرِ الأَنْبِيَاءِ عَلَيْهِمُ السَّلاَمُ".

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[316] The Prophet Muhammad (peace and blessings of Allah be upon him).

Abu Hurayrah (may Allah be pleased with him) narrated that the Prophet (may Allah bestow upon him peace and blessings) said, "Whoever reads Sura the Power[317] after ablution, once, Allah records him amongst the truthful ones. Whoever reads it twice, Allah records him amongst the martyrs and the sincere. Whoever reads it three times, Allah (Mighty and Majestic) gathers them up amongst the Prophets, upon them peace, on the Day of Judgement."[318]

(Abu Hurayrah (may Allah be pleased with him) narrated that the Prophet (may Allah bestow upon him peace and blessings) said, "Whoever reads Sura the Power[319] after ablution, once, Allah records him amongst the truthful ones). He upon him peace said, "Embrace truthfulness, indeed truthfulness guides to piety and piety guides to Paradise."[320] **(Whoever reads it)** meaning Sura the Power, **(twice, Allah records him amongst the martyrs and the sincere.)** those who have been killed in the path of Allah in physical struggle. Likewise, he is written amongst "the honest" those

[317] Quran, the Power, 96.1.

[318] Ad-Daylami, in Firdaws Al-Khitab; but this hadith is very weak.

[319] Quran, the Power, 96:1.

[320] Bukhari and Abu Dawood.

who rectify their states and beautify their works. **(Whoever reads it)** Sura the Power **(three times Allah (Mighty and Majestic), gathers them up amongst the Prophets, upon them peace, on the Day of Judgement."[321])** This is the place where they will gather on the Day of Judgement.

O Allah gather us all among the Prophets and the Messengers

فَصْلٌ فِي أَقْسَامِ الطَّهَارَةِ

ثُمَّ اعْلَمْ بِأَنَّ الطَّهَارَةَ عَلَى سِتَّةِ أَقْسَامٍ . الأَوَّلُ : أَنْ يُطَهِّرَ قَلْبَهُ عَنِ التَّعَلُّقِ بِمَا دُونَ اللهِ مِنَ الْكَوْنَيْنِ.

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26. Chapter on the kinds of purification

Know that purification is of six kinds:

1. To clean your heart from everything except Allah

Commentary on the chapter on the kinds of purification

(Know that purification is of six kinds). First is **(to clean)** Mankind, **(your heart from everything except Allah)**, (Majestic and Exalted), **(of creation)**. He said (upon him be peace), "Is not there a piece

[321] Ad-Daylami, in Firdaws al Khitab; but this hadith is very weak.

of flesh, if it is sound, the whole body is sound; if it is corrupted then the whole body is corrupt; is it not the heart."[322] The people of the creation (universe) are the inhabitants of the heavens and earth.

الثَّاني : أَنْ يُطَهِّرَ قَلْبَهُ مِنَ الْغِلِّ وَالْغِشِّ وَ الْحَسَدِ
الثَّالِثُ : أَنْ يُطَهِّرَ لِسَانَهُ مِنَ الْكَذِبِ وَ الْغِيبَةِ وَالنَّمِيمَةِ.

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2. To clean your heart from rancour, deception, slander and envy

3. To clean your tongue from lies, backbiting and tale-bearing

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Second is **(to clean your heart from rancour)** with a kesra on the ghayn, **(deception, slander and envy).** Rancour is in the chest, it is dishonesty or arrogance by constantly desiring evil acts. This becomes deceitful and the evil wishes turn into rancour. Envy is wishing for the

[322] Agreed upon: Bukhari, 52; Muslim, 1599; from An-Numan Ibn Bashir.

blessing to be removed from a person, the opposite of what Allah (the Exalted) desires.[323]

Third is **(to clean your tongue from lies)** as lying is one of the major sins as a curse comes with it. Allah (the Exalted) says, "Is not the curse of Allah upon the liars?"[324] Lying is prohibited action in speech, action and writing. He is an open sinner and his testimony is not accepted,[325] as described in *Al-Muheet.*

To clean your tongue from **(backbiting)** which is to mention your brother with what he dislikes. It is related in a hadith that he (upon him be peace) said, "Do you know what backbiting is?" They said, "Allah and

[323] Allah (the Exalted) gave him that blessing so why should a person want it to be taken from him? Such a person is disputing the decree of Allah. There are permissible types of envy whereby one may want the same thing as another person. This is called Ghibtah; but it does not mean one wants that blessing to taken away from that person.

[324] Quran, Hud 11:18.

A similar passage: Quran the Light, 24:7 "The curse of Allah is upon him if he should be among the liars."

[325] In Arabic this is fasiq, which is a person who commits minor wrong actions constantly or one major wrong action once. His testimony in an Islamic court is not accepted for certain issues such as adultery.

his Messenger know best." He said, "To mention your brother with what he dislikes." It was asked, "What if you see in your brother what you have said?" He said, "If you see in him what you have said, then you have slandered him."[326]

Your tongue also needs to be purified from **(tale bearing).** This is disclosing what is disliked about someone. Uncovering something disliked may then reach him or be about him, or it may reach a third person. It is the same if it is a blemish or flaw that is spoken about that he does not have.

[326] Muslim, 2589; Abu Dawood, 4874; from Abu Hurayrah.

الرَّابِعُ : أَنْ يُطَهِّرَ بَاطِنَهُ مِن أَكْلِ الْحَرَامِ وَ شُرْبِ الْخَمْرِ الْخَامِسُ : أَنْ يُطَهِّرَ ظَاهِرَهُ مِنْ لُبْسِ الْحَرَامِ السَّادِسُ : الطَّهَارَةُ الشَّرْعِيَّةُ حَتَّى يَصِيرَ أَهْلاً لِلصَّلَاةِ.

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4. To clean your body from prohibited food and alcohol
5. Clean your external from prohibited dress
6. Purify yourself lawfully until you are able to pray.

Fourth is **(to clean your body from prohibited food and (Wine) alcohol).** He said (upon him be blessings), "If a morsel of prohibited food enters the stomach of one of you, he is cursed for forty days. If he seeks forgiveness, Allah forgives him and if he does not then he is for the fire."[327]

[327] At-Tabarani, in Al-Awsat 6946.

Fifth is **(clean your external from prohibited dress)** it is narrated that he (upon him be peace) saw a man wearing silk, he said, "Has he worn it? Then he will not wear it,"[328] meaning in the afterlife.[329]

Sixth is **(purify yourself lawfully)**, by cleaning oneself with two ritals of water **(until you are able)** by purification, **(to pray)**.

وَرَوَى الْحَسَنُ بْنُ زِيَادٍ عَنْ أَبِي حَنِيفَةَ أَنَّهُ قَالَ : يَتَوَضَّأُ بِثَلَاثَةِ أَرْطَالٍ مِنَ الْمَاءِ: رِطْلٍ لِلاسْتِنْجَاءِ وَرِطْلٍ لِجَمِيعِ الأَعْضَاءِ سِوَى الْقَدَمَيْنِ وَرِطْلٍ لِلْقَدَمَيْنِ وَإِنْ زَادَ أَوْ نَقَصَ جَازَ .

Hassan Ibn Ziad[330] narrated that Abu Hanifa said, "Perform ablution with three ritals[331] of water: one for Istinja, one for all your limbs except your feet and one for your feet. And if you need more or less then it is permissible."

(Hassan Ibn Ziad narrated that Abu Hanifa said, "Perform ablution with three ritals of water: one for Istinja, one for all your limbs except your feet and one for your feet). This does not oppose the first as the first is for ablution only and Istinja. Meaning one Saa' is eight ritals by the Iraqi measurement and six according to the Maliki's currently or ten silver coins/Dirhams, and every Dirham are worth sixteen kilos. Similarly, it is narrated that Aisha (may Allah be pleased with her) said that the Prophet (may Allah bestow upon him peace and blessings) used to make ablution like this.[332] This is an estimate of the amount (of water used) for ablution. A Saa' for bathing is the least estimated by habit in *Al-Kafi*. Estimation is not necessary. **(In addition, if you need more)** meaning extra **(or less)** to cover the area **(then it is permissible")**. This is because the

[328] Muslim, 2068, from Ibn Abbas (may Allah be pleased with him); Imam Ahmed, 8337, from Abu Hurayrah (may Allah be pleased with him).

[329] If a man wear silk or gold then he shall be prevented from wearing it in the afterlife.

[330] Al-Hassan Ibn Zaid Al-Lulu was a student of Muhammad Ibn Sam'at, Muhammad Ibn Shaja'a Al-Talji and others. Ahmed Ibn Abdulhamid Al-Thari said, "I have not seen anyone with better character than Al-Hassan Ibn Zaid." He never refused a request and was easy to be with. He was noted for his understanding, knowledge, abstinence and piety. If there was not a transcript in the six books, his narration would be accepted (Taj Al-Tarajim).

[331] A type of container.

[332] Ibn Abu Shaybah, 735; Ad-Daraqutni, 72; both from Anas (may Allah be pleased with him).

nature and states of people differ, as mentioned in *Al-Bidiyah.* And Allah is the only helper.

فَصْلٌ فِي أَنْوَاعِ الطَّهَارَةِ

ثُمَّ اعْلَمْ بِأَنَّ الطَّهَارَةَ عَلَى نَوْعَيْنِ : طَهَارَةٌ حَقِيقِيَّةٌ طَهَارَةٌ حُكْمِيَّةٌ.وَأَمَّا الطَّهَارَةُ الْحَقِيقِيَّةُ : كَالْوُضُوءِ لِلصَّلَاةِ وَالاغْتِسَالِ مِنَ الْجَنَابَةِ وَالْحَيْضِ وَالنِّفَاسِ.

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27. Chapter on the types of cleanliness

Know that cleanliness is of two types:

1. Actual cleanliness.
2. Legal cleanliness.

Legal cleanliness is ablution: bathing from conjugal relations, periods, postpartum bleeding.

Commentary on the chapter on the types of cleanliness

(Know) Oh seeker of purification, **(that cleanliness is of two types:)** The first is **(Actual cleanliness and)** the second, **(Legal cleanliness).**

(Legal cleanliness is ablution: bathing from conjugal relations, periods, postpartum bleeding). This is bathing with absolute water; it is called this because it removes actual filth by its nature as it was created pure.

وَأَمَّا الطَّهَارَةُ الْحُكْمِيَّةُ : كَالتَّيَمُّمِ بِالتُّرَابِ .

Actual cleanliness is dry ablution by soil.

(Actual cleanliness is like dry ablution by soil). Using anything that is generic earth[333] with the absence of water, actual or legal. It is called this because the soil is dirty and polluted by its nature; it does not remove actual filth but we know that it purifies by text, legally, opposite to the first. Therefore, the intention is a condition because dry ablution removes impurity, legally and this is not a condition of the ablution as the water is pure. And Allah is the only helper.

[333] Anything that can be considered earth can be used for dry ablution or anything that is pure found on the earth (Hidayyah and Ikhtiyar).

فَصْلٌ فِي أَنْوَاعِ السُّنَّةِ

ثُمَّ اعْلَمْ بِأَنَّ السُّنَّةَ عَلَى نَوْعَيْنِ: سُنَّةٌ أَخْذُهَا هِدَايَةٌ وَتَرْكُهَا ضَلَالَةٌ كَالأَذَانِ وَالإِقَامَةِ وَ الْجَمَاعَةِ وَ الْوِتْرِ وَسُنَّةِ الْفَجْرِ وَسُنَّةِ الظُّهْرِ

28. Chapter on the kinds of Sunna

Know that the Sunna is of two kinds:

1. Sunna, if adopted, is guidance, and leaving it is misguidance, like the call to prayer, call to commence, congregation, Witr, two units before Fajr and four units before Zuhur.

Commentary on the chapter on the kinds of Sunna

(Know) O Sunni, **(that the Sunna is of two kinds:)** First, **(Sunna if adopted is guidance[334],)** the guidance, direction and proof. Guidance is from Allah by providing the means for the servant to perform acts of obedience, and the opposite is failure. **(And leaving it is misguidance).** Misguidance is the lack of right guidance and the absence of the means to reach success. O Allah, guide us to Your right path.

[334] Emphasised Sunna.

(Like call to prayer, call to commence,) as these are the signs of Islam. Imam Muhammad (may Allah show him mercy) said, "If a people of a city agree that it should be left then we will fight over it." According to Abu Yusuf (may Allah show him mercy) such people should be jailed and beaten. Imam Muhammad says fight them and Abu Yusuf says imprison them for their laxity in religion and for lowering it signs.

(Congregation) also is from one the signs of Islam **(and)** Dua Qanut in **(Witr)** are from Sunnas of guidance and the Sunna is a path of journeying in the religion and it contains a necessity by this expression.[335]

(Two units before Fajr and four units before Zuhur.) The Sunna of Asr, the Sunnas of Maghrib and Isha; all of these are the guiding Sunna's. The origin of these is the narration of Tirmidhi and others, Aisha (may Allah be pleased with her) said, "The Messenger of Allah (may Allah bestow upon him peace and blessings) said, "Whoever is persistent upon twelve units of the Sunnas, Allah will build for them a house in Paradise; two before Fajr, four before Zuhur and two after, two units after Maghrib

[335] Witr is a necessary prayer.

and two after Isha."[336] He (upon him be peace) was persistent and constant upon this.

وَسُنَّةٌ أَخْذُهَا فَضِيلَةٌ وَتَرْكُهَا لاَ حَرَجَ فِيهِ كَصَوْمِ التَّطَوُّعِ وَصَلاَةِ التَّطَوُّعِ وَصَدَقَةِ التَّطَوُّعِ وَمَا أَشْبَهَ ذَلِكَ.

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2. Taking the Sunna is preferable and leaving it is not objectionable like supererogatory fasts, prayer, alms and so on.

Second, **(taking the Sunna is preferable[337]),** as the recompense and reward is great for doing it, **(and leaving it is not objectionable).** There is no sin in it; as he (upon him be peace) said, "Supererogatory is the prince of itself."[338]

(Like supererogatory fasts) and fasting the brightest days, namely the thirteen, fourteenth and fifteenth of every month. He (upon him be

[336] At-Tirmidhi, 414; Ibn Abu Shaybah, 5975.

[337] Desired Sunna.

[338] Al-Hakim, 1599; At-Tirmidhi, 732; Imam Ahmed, 26937; all from Umm Hani (may Allah be pleased with him).

peace) used to fast these days and he (upon him be peace) said, "He is the permanent faster."[339]

(Prayer) meaning four before Asr, six after Maghrib, four before Isha and four after Isha. These are desired and rewarded if done and one has not sinned if they are left. He (upon him be peace) said, "Prayer is the best position so whoever wishes do much and whoever wishes do little."[340]

(Alms) he (upon him blessings) said, "Charity goes to the All-Merciful before going into the palm of the poor."[341]

(And so on) refers to the remainder of the supererogatory acts. This is all that is narrated about this matter, namely that they are rewarded if done and there is no punishment if they are left.

O Allah, liberate us from Your punishment.

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[339] Ibn Hibban, 3638, from Abdullah Ibn Umar (may Allah be pleased with him). The one who fasts these days.

[340] This hadith concerns the prayers that are not obligatory, necessary or emphasised Sunnas; so any prayer that is not on these levels. This is not a proof for not praying at all or just praying as one's passion desires. Ibn Hibban, 361; Al-Hakim, 4166; from Abu Darr (may Allah be pleased with him).

[341] Not found.

فَصْلٌ فِي مَسَائِلَ شَتَّى

قَالَ مُحَمَّدٌ فِي كِتَابِ الصَّلَاةِ:" إِذَا أَرَادَ الرَّجُلُ الدُّخُولَ فِي الصَّلَاةِ فَلْيَتَوَضَّأْ" ، وَقَالَ الْفَقِيهُ أَبُو اللَّيْثِ: " مَعْنَاهُ إِنْ كَانَ مُحْدِثًا فَلْيَتَوَضَّأْ" لِأَنَّ مُحَمَّدًا ذَكَرَ الْوُضُوءَ وَأَضْمَرَ فِيهِ الْحَدَثَ وَ كَرِهَ أَنْ يَفْتَتِحَ كِتَابَ الصَّلَاةِ بِذِكْرِ الْحَدَثِ لِأَنَّ هَذَا الْكِتَابَ كِتَابٌ شَرِيفٌ

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29. Chapter on different issues

Imam Muhammad said in the book of prayer, "When a person desires to pray then they should perform ablution." Qadi Abu Laith said, "We mean that if he is impure then perform ablution." (Imam) Muhammad mentioned ablution and concealed the section on impurity. He disliked beginning the book of prayer by mentioning impurity because it is a noble book.

Commentary on the chapter on different issues

(Imam Muhammad) Ibn Hassan As-Shaybani (may Allah show him mercy) **(said in the book of prayer, "When a person desires to pray**

then they should perform ablution." Qadi[342] **Abu Laith said, "We mean that if he is impure then perform ablution.")** The reason for this is the necessity of purification. When one desires to pray and there is filth presence purification is necessary. Imam **(Muhammad)** (may Allah show him mercy) **(mentioned ablution and concealed the section on impurity. He disliked beginning the book of prayer by mentioning impurity because it is a noble book)** as prayer is the best subject.

لِمَا رُوِيَ عَنْ شَقِيقٍ ابْنِ إِبْرَاهِيمَ الزَّاهِدِ الْبَلْخِيِّ أَنَّهُ قَالَ : قَرَأْتُ كِتَابَ الصَّلاَةِ عَلَى أَبِي يُوسُفَ فِي رُسْتُقِ الْقَلاَنِيس وَعَلَى رَأْسِي قَلَنْسُوَةٌ قَدْ بَدَتْ الْقُطْنَةُ مِنْهَا ، فَقَالَ لِي : يَا أَبَا عَلِيِّ مَا رَأَيْتُ تَحْتَ خَضْرَاءِ السَّمَاءِ وَلاَ فَوْقَ أَدِيمِ الأَرْضِ أَشْرَفَ وَلاَ أَفْخَرَ مِنْ هَذَا الْكِتَابِ سِوَى كِتَابِ اللهِ تَعَالَى

Shaqiq Ibn Ibrahim Az-Zahid Al-Balkhi[343] said, "I read the book of prayer to Abu Yusuf in a hat shop. On my head was a hat made of cotton,

[342] Meaning jurist or judge.

[343] Abu Ali was a companion of Abu Yusuf and Ibrahim Ibn Adham and was a teacher of Hatim As-Samm. He was the first to lecture about Tasawwaf stemming

he said, "O Abu Ali, I have not seen under the sky or upon the green land, a more noble or superior book than this book except the Book of Allah the Exalted."

(Shaqiq Ibn Ibrahim Az-Zahid Al-Balkhi) (May Allah show him mercy) **(said, "I read the book of prayer to Abu Yusuf in a hat shop),** A place where hats are made, in Kufa.

(On my head was a hat made with cotton) meaning it was apparent, that the hat was lined and made with cotton. He **(said)** Abu Yusuf **("O Abu Ali,**[344] **I have not seen under the sky or upon the green land,")** meaning on the face of the earth, **(a more noble or superior book than this book)** the book of prayer, **(except the Book of Allah the**

from Khurasan. He was very rich and it was said that he owned 300 towns, but gave them away. He read the Quran twenty times until he could distinguish between the world and the hereafter. "We did not provide you anything except as a pass time in the life of the world and what Allah has is better and everlasting."He died a martyr in 194 A.H.

[344] It means 'O father of Ali'; a father can be called this because of the name of his child, and similarly a woman can be called Umm Ali, meaning mother of Ali. In the Arab world to call someone by a title is more respectful than using their name.

Exalted") as the Quran is pre-eternal and does not resemble anything in creation.

وَ رُوِيَ عَنْ أَبِي يُوسُفَ أَنَّهُ قَالَ : تَخَرَّقَ كِتَابُ الصَّلاَةِ فِي كُمِّي كَذَا وَكَذَا مَرَّةٍ فَمَا نَظَرْتُ فِيهِ إِلاَّ وَاسْتَفَدْتُ كُلَّ مَرَّةٍ فَائِدَةً جَدِيدَةً . وَ رُوِيَ عَنْ مُحَمَّدِ بْنِ سَلَمَةَ أَنَّهُ قَالَ: قَرَأْتُ كِتَابَ الصَّلاَةِ وَ قُرِئَ عَلَيَّ أَرْبَعَمِئَةَ مَرَّةٍ فَمَا نَظَرْتُ فِيهِ إِلاَّ وَ قَدْ اسْتَفَدْتُ فِي كُلِّ مَرَّةٍ فَائِدَةً جَدِيدَةً

It is narrated that Abu Yusuf said, "I damaged the book of prayer under my sleeve several times and each time I would read it I would find some new benefit from it."

It is narrated that Muhammad Ibn Salamah said, "I read the book of prayer and have had it read to me four hundred times; and I did not look at it except that I gained a new benefit from it, every time."

(It is narrated that Abu Yusuf said) (may Allah (the Exalted) show him mercy) **("I damaged the book of prayer)** by putting it **(under my sleeve several times)** as he was carrying it and using it; **(and each time I would read it)** truly, **(I would find some new benefit from it.")** By

extrapolating more understanding and by perfecting its meanings when looking into the meanings. This resulted in new benefits being discovered.

(It is narrated that Muhammad Ibn Salamah said) (may Allah show him mercy) **("I read the book of prayer)** a weighty matter, **(and have had it read to me four hundred times; and I did not look at it except that I gained).** Meaning each of one of the four hundred or so times, **(a new benefit from it, every time.")** It is necessary that student does not get bored with the book from continually looking and reading it. This necessitates attaining a new benefit every time.

مَسْأَلَةٌ: فَإِنْ قِيلَ أَيُّ سُنَّةٍ تَقُومُ مَقَامَ الْفَرْضِ ؟ فَقُلْ : الْمَسْحُ عَلَى الْخُفَّيْنِ سُنَّةٌ لَكِنَّهَا تَقُومُ مَقَامَ الْفَرْضِ

It was asked, "What Sunna replaces the obligation?" Answer, "Wiping the leather socks is Sunna and it replaces an obligation."

(It was asked, "What Sunna replaces the obligation?") Meaning the obligation drops, **(Answer, "Wiping the leather socks is Sunna and it**

replaces an obligation.") meaning the need to wash the feet is dropped, as it is otherwise obligatory. It was not secret that the wiping on leather socks is obligatory but it is confirmed by the Sunna[345] that it is Sunna.

It was also said that washing the hands up to the wrists, when beginning ablution, is Sunna and takes the place of the obligation. So even if he washes from his wrist to his elbow, it is permissible. These are Sunna's that take the place of an obligatory action.

مَسْأَلَةٌ: فَإِنْ قِيلَ: أَيُّ جُنُبٍ لاَ يَلْزَمُهُ الْغُسْلُ ؟ فَقُلْ: جُنُبٌ اغْتَسَلَ وَبَقِيَ عَلَى أَعْضَاءِهِ لُمْعَةٌ لَمْ يُصِبْهَا الْمَاءُ فَإِنَّهُ يَغْسِلُ ذَلِكَ الْمَوْضِعَ دُونَ جَمِيعِ الأَعْضَاءِ.

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[345] Point 76 of the Tahawiayyan doctrine/Aqida Tahawi states, "We agree with wiping over leather socks (in wudu) whether on a journey or otherwise, just as has come down in the (consistent and confirmed) prophetic narrations" (p.15, Islamic Belief by Imam Abu Jafar At-Tahawi). The hadiths are well known: Abu Hassan Al-Karkhi stated that he feared disbelief for anyone who rejects this. This text was the doctrine of Abu Hanifa as recorded by his students. It was then spread by Imam At-Tahawi.

It was asked, "Which (major) impurity has no obligation for bathing?" Answer, "Washing from major impurity and leaving one place where water did not reach. So he can wash that place and not all the other limbs."

(It was asked, "Which (major) impurity has no obligation for bathing?"), referring to the whole body. **(Answer "Washing from major impurity and leaving one place),** on the body, **(where water did not reach).** For example, there was wax on a person such as one his nail or hand where he had held a candle and some of it fell on him, so when he washed the water did not reach under the wax. Similar are all things that prevent water from reaching the skin like thick ink and thick paint ('Aqas) that the people of Mekkah etch on their hands. It is necessary to remove such barriers. **(So he can wash that place)** meaning the place where no water has reached; because it was not washed and washing it is an obligation. **(And not)** meaning it is not necessary to wash, **(all the other limbs")** because they have already been washed.

Washing continuously is not a condition. It is called impurity because of the remaining piece of wax because major and minor impurity are not indivisible and it is present and not removed.

مَسْأَلَةٌ: فَإِنْ قِيلَ: أَيُّ مُصَلٍّ جَازَتْ صَلَاتُهُ بِغَيْرِ الْقِرَاءَةِ ؟ فَقُلْ: الأُمِّيُّ وَالأَخْرَسُ وَاللَّاحِقُ وَالأَبْكَمُ.

It was asked, "Which prayer is permissible to pray without recitation?" Answer, "Illiterate, dumb, late-comer and the deaf."

(It was asked, "Which prayer is permissible to prayer without recitation?" Answer, "Illiterate), he who cannot read or recite an ayah of the book of Allah (the Exalted). If there no reciter present then he prays without reciting. If there is a reciter present then him praying on his own is not valid, according to the relied upon opinion because he is able to pray with the Imam and the Imam's recitation is his recitation. The ruling for the **(dumb)** is that he is tongue tied without being able to articulate. Likewise the **(late comer)** who begins his prayer with the Imam

and then becomes impure or sleeps until the Imam finishes the prayer. He has to perform what he missed of the prayer, without reciting, because he was following the Imam. Also **(and the deaf")** who is dumb and as stated before, and the ruling is that both are preceded by the illiterate.

مَسْأَلَةٌ : فَإِنْ قِيلَ : أَيُّ مُسْلِمٍ لَوْ أَدَّى الْفَرِيضَةَ لاَ يَقْبَلُ اللهُ مِنْهُ وَبِتَرْكِهَا يُثَابُ ؟ فَقُلْ: الْحَائِضُ وَالنُّفَسَاءُ لاَ يَقْبَلُ اللهُ مِنْهُمَا صَلاَةً وَلاَ صَوْمًا وَ بِتَرْكِهِمَا يُثَابَانِ.

It was asked, "Which obligation, if performed Allah will not accept, and if not performed they will be rewarded?" Answer, "From the menstruating female or the postpartum bleeding female; no prayer or fast are acceptable from them but they are rewarded if left."[346]

(It was asked, "Which obligation if performed Allah will not accept), its performance, **(and if left they will be rewarded?" Answer,**

[346] She is rewarded for the prayers that she misses but must make up the missed fasts of Ramadan.

"From the menstruating female or postpartum bleeding female;) If they perform an obligatory prayer or a fast, **(no prayer or fast is acceptable from them)** because periods and postpartum bleeding prevent the validity of the prayer and the fast is prohibited for them, if performed. He (upon him be peace), said, "The menstruating woman leaves prayer and fasting at fixed times."[347] This command is necessary. When we say that their performance is not accepted, **(but they are rewarded if left"),** it is because they do not enter into sin. Know that periods and postpartum bleeding avert the necessity of prayer and fasting.

Therefore, it necessary that the one who is bleeding, for the time of the period or the postpartum period, to make up the fasts but not the prayer because of the hardship in it, which is not in fasting.

[347] Al-Bayhaqi in Al-Kubra, from Aisha (may Allah be pleased with her) 1522; Ad-Daraqutni, 32.

مَسْأَلَةٌ : فَإِنْ قِيلَ: بِمَاذَا عَرَفْتَ الْفَرِيضَةَ مِنَ السُّنَّةِ وَالسُّنَّةَ مِنَ النَّفْلِ؟ فَقُلْ: الْفَرِيضَةُ: مَا أَمَرَنَا اللهُ بِهِ وَفَعَلَهُ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَلَمْ يَتْرُكْهَا فِي عُمْرِهِ فَيَكُونُ ذَلِكَ عَلَيْنَا فَرِيضَةً.

It was asked, "How do we know the obligation from the Sunna, and the Sunna from the supererogatory?" Answer, "Obligations are what Allah ordered and what the Prophet (may Allah bestow upon him peace and blessings) did and did not leave during his life, this is obligatory."

(It was asked, "How do we know the obligation from the Sunna and the Sunna from the supererogatory?" Answer, "Obligations are what Allah) the Exalted, **(ordered)** in his majestic book, **(and what the Prophet (may Allah bestow upon him peace and blessings) did and did not leave during his life),** ever, **(this is obligatory.")** because an order from Allah necessitates obligation; this is a definitive obligation.[348] Regarding obligations, according to the Mujtahids it is not permissible to leave them.

[348] Meaning whoever denies this is a disbeliever.

وَأَمَّا مَا فَعَلَهُ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مِنْ تِلْقَاءَ نَفْسِهِ وَدَاوَمَ عَلَيْهِ فِي جَمِيعِ عُمْرِهِ فَصَارَ لَنَا ذَلِكَ سُنَّةً. وَأَمَّا النَّفْلُ : مَا فَعَلَهُ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي وَقْتٍ دُونَ وَقْتٍ وَذَكَرَ فَضِيلَتَهُ لأُمَّتِهِ فَصَارَ ذَلِكَ نَفْلاً لَنَا .

As for what the Prophet (may Allah bestow upon him peace and blessings) did himself, and was described as such, for his entire life, this is Sunna.

As for the supererogatory, what the Prophet (may Allah bestow upon him peace and blessings) did sometimes and what he mentioned as beneficial to his nation, then this became supererogatory for us.

(As for) the Sunna, **(what the Prophet (may Allah bestow upon him peace and blessings) did himself and was described as such)** without a divine order, **(for his entire life, this is Sunna.")** It is mentioned in *Al-Ghayah* and *Al-Faht*[349] that it was a constant action which was sometimes left, and this is a proof that it is Sunna.

[349] Fath Al-Qadir, written by the scholar Kamal Ibn Al-Humam.

(As for the supererogatory, what the Prophet (may Allah bestow upon him peace and blessings) did sometimes and what he mentioned as beneficial to his nation, this became supererogatory for us.") This is an alternative to the actions that are desired and etiquettes; as we have shown.

وَجَوَابٌ آخَرَ: الْفَرِيضَةُ مَا يَكُونُ تَارِكُهَا عَاصِيًا وَجَاحِدُهَا كَافِرًا.

Other answers: a pillar (definition): If left a person is a sinner and if rejected he is non-Muslim.

(Other answers:) the definition of **(a pillar: If left)** they have committed an offence and become an open sinner, **(a person is a sinner)** deserving of reprimand, **(and if rejected he is non-Muslim)**. This concerns the definitive obligations, those issues that are well known about the religion,[350] as reported in *Al-Bahr*. If they reject an obligation that is not a

[350] This is the Ashari position, that someone only becomes a disbeliever if they reject something well known about Islam, such as there being five obligatory prayers in a

decisive pillar, like wiping a fourth of the head and washing the elbows, then the person does not become a disbeliever.

وَالسُّنَّةُ : مَا يَكُونُ تَارِكُهَا آثِمًا وَجَاحِدُهَا مُبْتَدِعًا. وَالنَّفْلُ : مَا لاَ يَكُونُ تَارِكُهُ فَاسِقًا وَجَاحِدُهُ مُبْتَدِعًا وَلَكِنْ يَكُونُ بِإِتْيَانِهِ زِيَادَةً فِي الدَّرَجَاتِ وَبِتَرْكِهِ نُقْصَانًا فِي الدَّرَجَاتِ.

Sunna[351]: if left then he not is a sinner and rejection is heresy. Nafl: If left a person is not a transgressor and rejection is heresy, but increases in degrees if done and if left he falls in degrees.

(Sunna: If left) without excuse, **(then he not is a sinner[352] and if rejection is heresy)** innovation[353] is that which has occurred which is

day. The Maturidi position is that someone becomes a disbeliever if they reject something that is definite/qat'i. It does not matter whether it is well known or not.

[351] Sunna here must be referring to wajib actions and nafl must be referring to the Sunna actions.

[352] A person will be a sinner if he totally leaves any emphasised Sunna accordingly to some of our scholars.

against the received truth of the Messenger of Allah (may Allah bestow upon him peace and blessings) in knowledge, works, states, all of these and more by doubt or by acceptance. Make us steadfast upon the religion and the straight path. He said (upon him be peace), "Whoever offends my companions is an innovator; Allah (the Exalted) is offended by him and upon him is the agonies of death."[354]

(Nafl (Supererogatory): If left a person is not a transgressor and if rejection is heresy but increases in degrees) in Paradise **(if done and if left he falls degrees.")** The levels are elevated stations and all of these stations ascend.

[353] Innovation/bid'a in the scared law has to meet two conditions: 1) a new action that has not been done by the Prophet (peace and blessings of Allah be upon him), 2) an action that has no roots in Islam.

[354] Munsad As-Shahab, 538.

مَسْأَلَةٌ: فَإِنْ قِيلَ: الطَّهَارَةُ تَجِبُ لِأَجْلِ الصَّلَاةِ أَمْ لِأَجْلِ الْحَدَثِ؟
فقل: الطَّهَارَةُ تَجِبُ لِأَجْلِ الصَّلَاةِ مَعَ وُجُودِ الْحَدَثِ حَتَّى لَوْ دَخَلَ وقت
الصَّلَاةِ وَهُوَ مُتَطَهِّرٌ لَا يَجِبُ عَلَيْهِ الْوُضُوءُ وَلَوْ دَخَلَ وَقْتُ الصَّلَاةِ وَهُوَ
مُحْدِثٌ يَجِبُ عَلَيْهِ الْوُضُوءُ.

It was asked, "Is purification needed for prayer or because of impurity?" Answer, "Purification is necessary for prayer if minor filth is present. When a prayer time enters and he is in a state of purity, then there is no ablution to be performed. And if the prayer time enters and he is impure, then ablution is upon him."

(It was asked, "Is purification needed for prayer or because of impurity?" Answer, "Purification is necessary for prayer) because one wants to pray, **(if minor filth is present. When a prayer time enters and he is in a state of purity, then there is no ablution to be performed. And if the prayer time enters and he is impure, then ablution is upon him.")** If he wants to pray.

Al-Inayah states, "The cause is the necessity of prayer and not its presence as its presence is conditioned by it. It is after it and what is after cannot be the cause of its precedence."[355]

مَسْأَلَةٌ: فَإِنْ قِيلَ الإِتْيَانُ بِالإِيمَانِ فَرِيضَةٌ أَمْ سُنَّةٌ ؟ فَقُلْ :الإِيمَانُ إِقْرَارٌ
بِاللِّسَانِ بِوَحْدَانِيَةِ اللهِ تَعَالَى وَرِسَالَةِ الْمُصْطَفَى صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ
وَبِمَا جَاءَ بِهِ الأَنْبِيَاءُ وَالرُّسُلُ عَلَيْهِمُ الصَّلَاةُ وَالسَّلَامُ فَرِيضَةٌ, وَالتِّكْرَارُ
وَالإِعَادَةُ عَلَيْهَا سُنَّةٌ .

It was asked, "Is it obligatory to testify faith or is it Sunna?" Answer, "Faith is confirmation on the tongue, of the Oneness of Allah the Exalted and the message of the Chosen[356] (may Allah bestow upon him peace and blessings). He was sent with what the Prophets (upon them all peace) came with, sending prayers and greetings upon them is necessary. Repeating and making it habitual is Sunna.

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[355] The cause of purification is presence of impurity, a prayer time has entered and he wants to pray.

[356] One of the names of the Prophet Muhammad (may Allah bestow peace and blessings upon him).

(It was asked, "Is it obligatory to testify faith or it Sunna?" Answer, "Faith is confirmation) before following, **(on the tongue,**[357] **of the Oneness of Allah the Exalted and the message of the Chosen (may Allah bestow upon him peace and blessings). He was sent with what the Prophets (upon them peace) came with, sending prayers and greetings upon them is necessary).** Whoever says they believe in Allah, his Messengers, his books, his angels, the final day, destiny, the good and the bad, has arrived to what was wajib [once in a lifetime] for him. This is an overview of Islam and it is sufficient for the validity of faith, according to the relied upon opinion. **(Repeating and making it habitual)** time after time **(is Sunna.")** This is firmly established and it is an important matter. So he says I believe in Allah, etc, every day, every hour, according to his ability. Therefore these two testifications are made in every prayer.[358]

[357] Faith is defined as affirmation of the tongue with belief in the heart, with the condition of not performing an action of disbelief.

[358] In the Tashahud position, which is the sitting position of the prayer at the end of a unit or the end of the prayer.

مَسْأَلَةٌ : فَإِنْ قِيلَ كَيْفَ عَرَفْتَ اللهَ ؟ فقل: لَيْسَ لَهُ كَيْفٌ وَلاَ كَيْفِيَّةٌ بَلْ عَرَفْتُهُ بِتَعْرِيفِهِ فَقَدْ عَرَّفَنِي حَتَّى عَرَفْتُهُ.

It was asked, "How do we know Allah?" Say, "We do not know Him by specifics, rather we know Him by how He described Himself. He described Himself until we knew Him."

(It was asked, "How do we know Allah?") The Exalted. We **(say, "We do not know Him by specifics,)** "No vision can comprehend Him, and He comprehends all vision; and He is All-Subtle, All-Aware."[359] The modality is expressed by forms and states, the how is a question.[360] It is known that we know Allah (the Exalted) by His oneness taken from His speech, "Say: He is Allah the one,"[361] this completes the answer.

[359] Quran, the Cattle, 6:103.

[360] We are not advised to delve into meanings of Quranic passages or hadith as interpretation could cause someone to say that Allah is similar to His creation. However, Allah is dissimilar to His creation (see Quran 42:11).

[361] Quran, the Purity, 112:1.

(Rather we know Him by how He described Himself) meaning through the Quranic ayahs[362] and the expressions of his everlastingness. **(He described Himself)** in His book, glorifying Himself and His majestic attributes, **(until we knew Him.")**

مَسْأَلَةٌ: فَإِنْ قِيلَ مَا الإِيمَانُ , وَمَا الإِسْلاَمُ , وَمَا الإِحْسَانُ ؟ فَقُلْ : الإِيمَانُ : إِقْرَارٌ بِاللِّسَانِ وَتَصْدِيقٌ بِالْجَنَانِ.

It was asked, "What are faith, Islam and excellence/Ihsan?" Answer, "Faith is affirmation on the tongue (belief in the heart) and belief with the parts of the body.

(It was asked, What are faith, Islam and excellence/Ihsan?" Answer, "Faith is affirmation on the tongue (belief in the heart), in everything that the Prophet (may Allah bestow upon him peace and

[362] Quranic passages.

blessings), came with.[363] **(And belief)** in the Messenger of Allah (may Allah bestow upon him peace and blessings) in what he informed us from Allah the Exalted.

(With the parts of the body), referring to the heart, about the necessary knowledge that comes generally. This is sufficient to fulfil the responsibility of faith. This is what the author indicates to in the book on belief and it is belief, repetition is the way of some of the scholars.[364] The majority of the reliable scholars like the Maturidi's say that belief is in the heart and confirmation on the tongue is a condition for fulfilment of worldly rulings. Whoever believes it in his heart but does not affirm this on his tongue, is a believer with Allah (the Exalted) but he is not a believer in terms of worldly rulings. Whoever confirms with his tongue and not with his heart then he is hypocrite, the exact opposite.[365]

[363] Denial of something that is Qati/decisive is disbelief and denial of something that is subsidiary/Faru is innovation.

[364] From them are Abu Hanifa; and this is the position of Imam Al-Maturdi (in disagreement with Imam Al-Ashari).

[365] He is a disbeliever with Allah (the Exalted) even though he is a believer in the worldly rules.

وَأَمَّا الإِسْلاَمُ : فَالانْقِيَادُ لِأَوَامِرِهِ تَعَالَى وَالاجْتِنَابُ عَنْ نَوَاهِيهِ

Islam is obeying His (The Exalted) orders and avoiding the prohibitions.

(Islam is obeying His (the Exalted) orders and avoiding the prohibitions.) He (upon him be peace) responded to the question of the questioner, who was Jibril the trustworthy, about Islam as follows, "To testify that there is no deity but Allah and that Muhammad is the Messenger of Allah; establish the prayer, pay alms, fast in Ramadan and perform pilgrimage, if he is able to." He replied, "You spoke truthfully."[366]

[366] Agreed upon: Al-Bukhari, 50; Muslim, 8; both from Ibn Umar (may Allah be pleased with him). Umar narrated: "One day while we were sitting with the Messenger of Allah there appeared before us a man whose clothes were exceedingly white and whose hair was exceedingly black. No signs of journeying were on him and none of us knew him. He walked up and sat down by the Prophet (upon him be peace), resting his knees against his and placing the palms of his hands on his thighs. He said, 'O Muhammad, inform me about Islam". The Messenger of Allah said, "Islam is to testify that there is no god but Allah and Muhammad is the Messenger of Allah; establish the prayers, pay alms, fast in Ramadan and perform pilgrimage to the House, if he is able to.' He said, 'You have spoken truthfully.' We were amazed

وَأَمَّا الإِحْسَانُ فَهُوَ: الإِحْسَانُ إِلَى خَلْقِ اللهِ تَعَالَى وَالشَّفَقَةُ عَلَيْهِمْ بِلاَ مِنَّةٍ. وَجَوَابٌ آخَرَ : الإِحْسَانُ هُوَ: أَنْ تَعْبُدَ اللهُ كَأَنَّكَ تَرَاهُ فَإِنْ لَمْ تَكُنْ تَرَاهُ فَإِنَّهُ يَرَاكَ .

(Excellence) Ihsan is being good to the creation of Allah the Exalted and sympathy for the weak without haughtiness." And (another answer) Ihsan is to pray to Allah as if you see Him; although you cannot see Him; but He sees you.[367]

at him both asking him and saying that he had spoken truthfully. He said, 'Inform me about faith.' He said, 'It is to believe in Allah, His angels, His books, His Messengers, the Last Day and to believe in divine decree, the good and the evil of it.' He said, 'You have spoken truthfully.' He said, 'Then tell me about excellence (ihsan).' He said, 'To worship Allah as if you see Him, yet know you cannot see Him but He can see you.' He said, 'Inform me about the Hour.' He said, 'The one questioned about it knows no better than the questioner.' He said, 'Then tell me about its signs.' He said, 'That the slave-girl will give birth to her mistress and that you will see the barefooted, naked, destitute herdsman competing in constructing lofty buildings.' Then he went and a long time passed. Then he asked, 'O Umar, do you know who the questioner was?' I said, 'Allah and His Messenger know best.' He said, 'That was Jibril who came to you to teach you your religion.'"

[367] Bukhari and Muslim, from Umar (part of the Hadith of Jibril).

((Excellence) Ihsan is being good to the creation of Allah (the Exalted) and showing sympathy for the weak without haughtiness). Qatada[368] mentioned this to us from the Old Testament, "O son of Adam, as you have been shown mercy, show mercy. How can you expect mercy from Allah, if you do not show mercy?" They say, "Haughtiness destroys good actions."

(And (another answer) he said, **(Ishan is to pray to Allah as if you see Him)** with your eyes, **(although you cannot see Him; but He sees you[369].")** As he (upon him be peace) said when he answered Jibril, the first station of knowing Allah is by His existence and the second station is by knowing His attributes.

مَسْأَلَةٌ: سُئِلَ الزَّاهِدُ شَقِيقٌ الْبَلْخِيُّ عَنْ الإِيمَانِ وَالْمَعْرِفَةِ وَالتَّوْحِيدِ وَالشَّرِيعَةِ وَالدِّينِ؟ فَقَالَ : الإِيمَانُ : إِقْرَارٌ بِوَحْدَانِيَةِ اللهِ تَعَالَى بِلاَ كَيْفٍ وَلاَ تَشْبِيهٍ وَ أَمَّا الْمَعْرِفَةُ : فَمَعْرِفَةُ اللهِ تَعَالَى بِلاَ كَيْفٍ وَلاَ كَيْفِيَةٍ وَلاَ تَشْبِيهٍ

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[368] One of the successors.

[369] See footnote one.

The ascetic Shaqiq Al-Balkhi was asked about faith, Marifah, Tawheed, Sacred Law and religion. He said, "Faith is confirming the oneness of Allah the Exalted without asking how and comparing. Marifah/Gnosis is knowledge of Allah the Exalted without asking how and without comparing.

(The ascetic Shaqiq al-Balkhi was asked) may Allah show him mercy) **(about faith, Marifah, Tawheed, Sacred law and religion.)** five things in all. **(He said, "Faith is confirming the oneness of Allah (the Exalted) without asking how and comparing).** The purpose and belief in it. **(Marifah/Gnosis is knowledge of Allah (the Exalted) without asking how and without comparing.)** Allah said, "There is nothing like Him however He is the All Hearing, All Seeing."[370]

[370] Quran, Counsel, 42:11.

وَأَمَّا التَّوْحِيدُ : فَهُوَ إِقْرَارُ الْعَبْدِ بِأَنَّ اللهَ وَاحِدٌ لاَ شَرِيكَ لَهُ بِالإِخْلاَصِ مِنْ غَيْرِ تَشْبِيهٍ وَلاَ تَعْطِيلٍ. وَأَمَّا الشَّرِيعَةُ : فَهُوَ الانْقِيَادُ لِرَبِّهِ بِتَقْدِيمِ أَوَامِرِهِ وَالاجْتِنَابُ عَنْ نَوَاهِيهِ وَأَمَّا الدِّينُ فَهُوَ الدَّوَامُ وَالثَّبَاتُ عَلَى هَذِهِ الأَرْبَعَةِ إِلَى الْمَوْتِ .

Tawheed/Oneness of God[371] is the servant affirming that Allah is One,[372] without partner, sincerely without comparison or denial. Sacred Law is to obey your Lord, performing the orders and avoiding the prohibitions. Religion is persisting and affirming these four until death."

(Tawheed/Oneness of God is the servant affirming that Allah) the Exalted, **(is One)** from the beginning[373] he is the first and the last. **(Without partner, sincerely)** "Say: Allah is One, Allah is the Sustainer..." to its end.[374] **(Without comparison)** of his oneness. Whoever says, "The

[371] Meaning God/Allah is One.

[372] Abu Hanifa in Fiqh Al-Akbar mentions that Allah is One but this is not in a numerical sense. Numbers in Arabic begin with two.

[373] Allah does not have a beginning as only created beings have a beginning and Allah/God is uncreated therefore has no beginning.

[374] Quran, the Purity, 112:1-4.

hand of Allah or leg is like his servants," is a disbeliever. Whoever says, "He has a body but not like other bodies," is an innovator. Allah says, "There is nothing like Him."[375] **(or denial.")** His estimation is far beyond the claims of the oppressors.

(Sacred law is to obey your Lord, performing the orders and avoiding the prohibitions.) Abu Mansur Al-Maturidi (may Allah show him mercy) said that **(religion is persisting and affirming these four until death).**

O Allah take our souls upon the belief of your Prophet Muhammad (peace and blessings be upon him).

[375] Quran, Counsel, 42:11.

وَخَمْسَةٌ مِنْهَا عَلَى خَارِجِ الْجَوَارِحِ. أَمَّا الْخَمْسَةُ الَّتِي عَلَى الْقَلْبِ فَهِيَ : أَنْ يَعْتَرِفَ أَنَّ اللهَ تَعَالَى وَاحِدٌ لاَ ثَانِيَ لَهُ خَالِقُ الْخَلْقِ وَرَازِقُهُمْ وَحَافِظُهُمْ وَمُحَوِّلُهُمْ مِنْ حَالٍ إِلَى حَالٍ .

Know that faith: Islam, Sacred Law, and religion have twenty aspects. Five in the heart, five on the tongue, five that the limbs do and five outside the limbs. The five that are in the heart: realise that Allah (the Exalted) is One and there is no other, He is the Creator of creation, He provides for us and preserves us from state to state.

(Know), O dear believer, **(that faith, Islam, Scared Law, religion have twenty aspects. Five in the heart, five on the tongue, five that the limbs do and five outside the limbs).**

(The five that are in the heart: realise that Allah (the Exalted) is one and there is no other). Regarding His Lordship; Allah said, "If there where deities other than Allah, they would've corrupted it."[376] **(He is the Creator of creation),** as Allah (the Exalted) said, "And Allah has created

[376] Quran, the Prophets, 21:22.

you and what you do."[377] **(He provides for us)** as He said, "Surely Allah is the All-provider, the Possessor of Strength and Ever-steadfast."[378] **(And preserves us)** as Allah said, "Say: who can protect you in the day and the night?"[379] He protects us from punishment whether it comes in the day or in the night. **(From state to state)** as Allah (the Exalted) describes, "Oh Mankind, if you are in doubt concerning the resurrection. Truly, We have created you from dust, then a drop of seed, then from a clot, then from a little lump of flesh, shapeless."[380] There is no doubt in the transition from state to state.

[377] Quran, Rows, 37.96.

[378] Quran, the Winnowing Winds, 51.58.

[379] Quran, the Prophets, 21.42.

[380] Quran, the Pilgrimage, 22.5.

وَأَما الْخَمْسَةُ الَّتِي عَلَى اللِّسَانِ فَهُوَ أَنْ يُؤْمِنَ بِاللهِ تَعَالَى وَمَلاَئِكَتِه وَكُتُبِهِ وَرُسُلِهِ وَالْيَوْمِ الآخِرِ وَالْقَدَرِ خَيْرِهِ وَشَرِّهِ مِنَ اللهِ تَعَالَى.

The five of the tongue are: to believe in Allah the Exalted, His Angels, His Books, His Messengers, the Last Day, and that decree, good and bad, are from Allah the Exalted.

(The five of the tongue are: to believe in Allah (the Exalted)), as we have spoken about. **(His Angels)** one has to believe that they are present and servants of Allah. "They do not disobey what Allah has ordered them with. They do what He has instructed them and they praise Him, in the morning, the evening and never slacken."[381] They are free from doubt, plagues, procreation and what resembles this. They are not the children of Allah (the Exalted). They are not male or female rather

[381] Quran, the Prophets, 21.22.

they are created from his light[382] and He makes them messengers to whoever He wills; from amongst His servants.[383]

(His Books) which is to believe in all of what Allah has descended unto his Messengers from the book as truth and his words deserve magnification. So whoever rejects something, despises or mocks it, becomes a disbeliever.

(His Messengers) which is to believe that Allah sent them with the truth and proof from the Creator, to inform them of the affair, and to command prohibitions, promises and threats. The easiest speech is to say is I believe in all the Prophets, the first one is Adam (upon him be peace) and the last one is Muhammad (peace and blessings of Allah be upon him).

(The Last day) which is to believe that Allah (the Exalted) will resurrect the entire creation on the Day of Judgement, to bring the truth into account. Some will enter Paradise and others will be taken to Hell.

[382] This is light but not from God's essence.

[383] Namely, messages delivered to Prophets and Messengers.

(And that decree, good and bad, is from Allah (the Exalted)), which is to believe that everything that occurs in the world of good, evil, benefit, harm, Islam, disbelief, obedience, rebellion, profit, loss, will, thought, movement and stillness is by the decree and predestination of Allah (the Exalted).

وَأَما الْخَمْسَةُ الَّتِي عَلَى الْجَوَارِح فَهِيَ:الصَّوْمُ وَالصَّلاَةُ وَالْحَجُّ وَالزَّكَاةُ وَالْوُضُوءُ وَالاْغْتِسَالُ مِنَ الْجَنَابَةِ وَالْحَيْضِ وَالنِّفَاسِ وَمَا أَشْبَهَ ذَلِكَ .

The five aspects that are of the limbs are: fasting, prayer, Hajj, Zakah and ablution, (bathing from partner relations, periods, postpartum bleeding etc).

(The five aspects that are of the limbs), all the limbs of man, internally and externally, **(are: fasting, prayer, Hajj, Zakah, ablution**

(bathing from partner relations, period, postpartum bleeding etc).[384] There is no doubt at all that these things are part of the religion; all of them are firmly confirmed by the speech of the All Powerful and Possessor of Strength.[385]

وَأَمَّا الْخَمْسَةُ الَّتِي عَلَى خَارِجِ الْجَوَارِحِ: طَاعَةُ الأُمَرَاءِ وَالسَّلاَطِينِ وَالأَئِمَّةِ وَالْمُؤَذِّنِينَ وَالْمَسْحُ عَلَى الْخُفَّيْنِ وَصَلاَةُ الْعِيدَيْنِ.

The five that are outside the limbs are: obeying the ruler, sultan, Imam, the caller for prayer, wiping over leather socks and the prayer of the two Eids.

(The five that are outside the limbs) first and second, **(are: obeying the ruler, sultan,)** Allah said, "Obey Allah and His Messenger and the

[384] The author stated that these were five aspects, but the last one contains three extra matters.

[385] Allah (Mighty and Majestic).

people in authority."[386] He (upon him be peace) said, "Obey the leader over you even if he is a mutilated Ethiopian."[387] To fight them is not permissible, even if they oppress us. Third is obedience to the **(Imam)** and fourth is obedience to **(the Caller for prayer)** obeying their orders to join the congregation. It was narrated that a minister had his testimony rejected by Abu Yusuf so he complained to the Caliph. Abu Yusuf said, "He is arrogant of the Lord of the worlds because his slaves come to the masjid to prayer but he does not." (From *Hikayah Al-Jamiah).*[388] He (upon him be peace) said, "Whoever does not respond to the call to prayer has no prayer."[389] Qadi Khan[390] said, "It means to reply with your feet and not just your tongue." It is necessary to obey the speech, "Come to prayer, come to success," etc.

Fifth is **(wiping over leather socks)** meaning to believe in it being authenticated that he (upon him be peace) did it and ordered it. Imam Al-

[386] Quran, the Family of Imran, 4.59.

[387] Al-Bayhaqi.

[388] Not identified.

[389] Not found.

[390] Al-Hassan Ibn Mansur Ibn Abu l-Qasim Mahmood Ibn Abdulaziz Al-Awzajndi Fakhr Ud-din, who passed away on the night of the fifteenth of Ramadan 592. Author of the famous work Fatwa Qadi Khan.

Karkhi said, "I fear disbelief upon whoever does not agree with wiping over leather socks because its evidence for it which came to us reached the level of mass transmission." (From the text *Al-Sharh Al-Qarmini).*[391]

(And Prayer of the two Eids), this is necessary according to us, namely the prayers of Eid of al-Fitr and Eid al-Adaha. The origins of their necessity are from Allah saying, "Magnify your Lord for guiding you."[392] It was said that it means the Eid prayer.

مَسْأَلَةٌ : فَإِنْ قِيلَ الإِيمَانُ مَخْلُوقٌ أَوْ غَيْرُ مَخْلُوقٍ ؟ فَقُلْ: الإِيمَانُ إِقْرَارٌ وَهِدَايَةٌ، فَالإِقْرَارُ صُنْعُ الْعَبْدِ وَهُوَ مَخْلُوقٌ, وَالْهِدَايَةُ صُنْعُ الرَّبِّ وَهِيَ غَيْرُ مَخْلُوقَةٍ وَمَنْ قَالَ الْهِدَايَةُ مَخْلُوقَةٌ فَقَدْ كَفَرَ.

Question, "If it is asked, was faith created or uncreated?" We say, "Affirming faith, following guidance, the affirmation is made by the servant and is created and guidance is an action of the Lord and this is uncreated and whoever says guidance is created is a disbeliever."

[391] A commentary on Muqadimma Kitab Nafis.

[392] Quran, the Heffer, 2.185.

(Question, "If it is asked was faith created or uncreated?" We say) it is confirmed **("Affirming faith),** from the servants, **(following guidance)** from Allah (the Exalted). **(The affirmation is made by the servant and is created),** because the servant is created first and his action is created. The **(Guidance is an action of the Lord and is uncreated);** truly guidance is from Allah, the Creator of guidance. It is an attribute of Allah (the Exalted) and the attributes of Allah are not created. **(And whoever says guidance is created is a disbeliever")** because he has ascribed to Allah temporality and this description is disbelief.

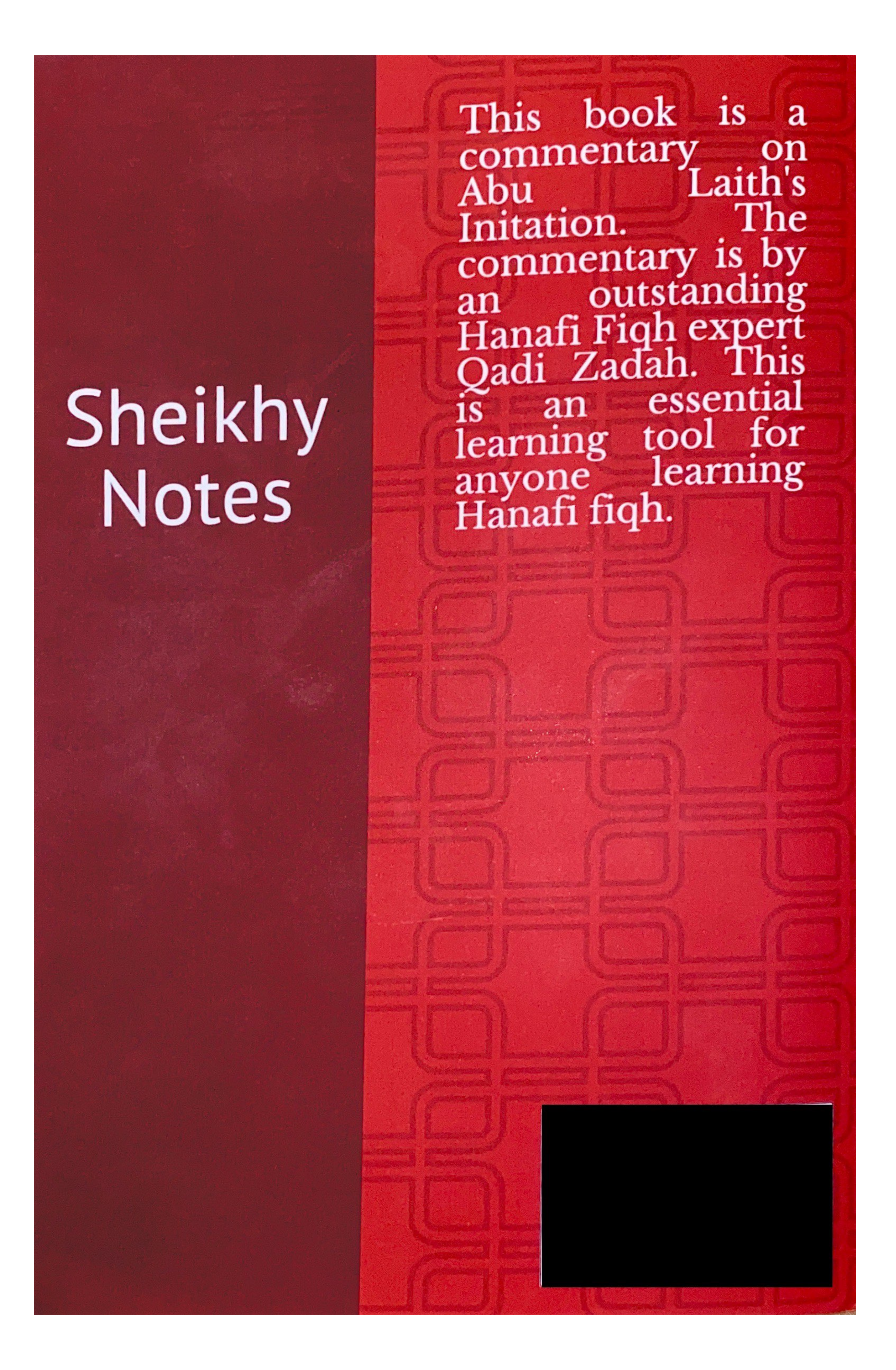
تَمَّ بِحَمْدِ اللهِ مُقَدِّمَةُ الْفَقِيهِ أَبِي اللَّيْثِ

The book 'The Initiation' by the Jurist Abu Laith is now complete.

(The book 'The Initiation' by the Jurist Abu Laith is now complete). All praise is due for Allah and may salutations and benedictions endlessly fall upon His final messenger Muhammad (may Allah bestow upon him peace and blessings).

O Allah, restrain us from slipping and going astray, pardon us, forgive us, our parents, our teachers, and all the Muslims, men and women. Make this sincerely for You and grant us a great benefit from the source text. This is the final line of the abridgement of our explanation of *Al-Ghayth a'la Muqaddima Abu Laith/Torrential Rain Upon The Initiation of Abu Laith* and it is now complete by the assistance bestowed by Allah (the Exalted). May Allah bestow peace and blessings upon our master Muhammad, his family and his companions.

All praise is for Allah, the Lord of all worlds, the Sustainer of the universe, the cause of all life and the cause of all death, and may endless salutations and benedictions be upon our master Muhammad. This translation was finished on the tenth of Rajab 1430; 3rd July 2009.


Sheikhy
Notes
This book is a commentary on Abu Laith's Initation. The commentary is by an outstanding Hanafi Fiqh expert Qadi Zadah. This is an essential learning tool for anyone learning Hanafi fiqh.